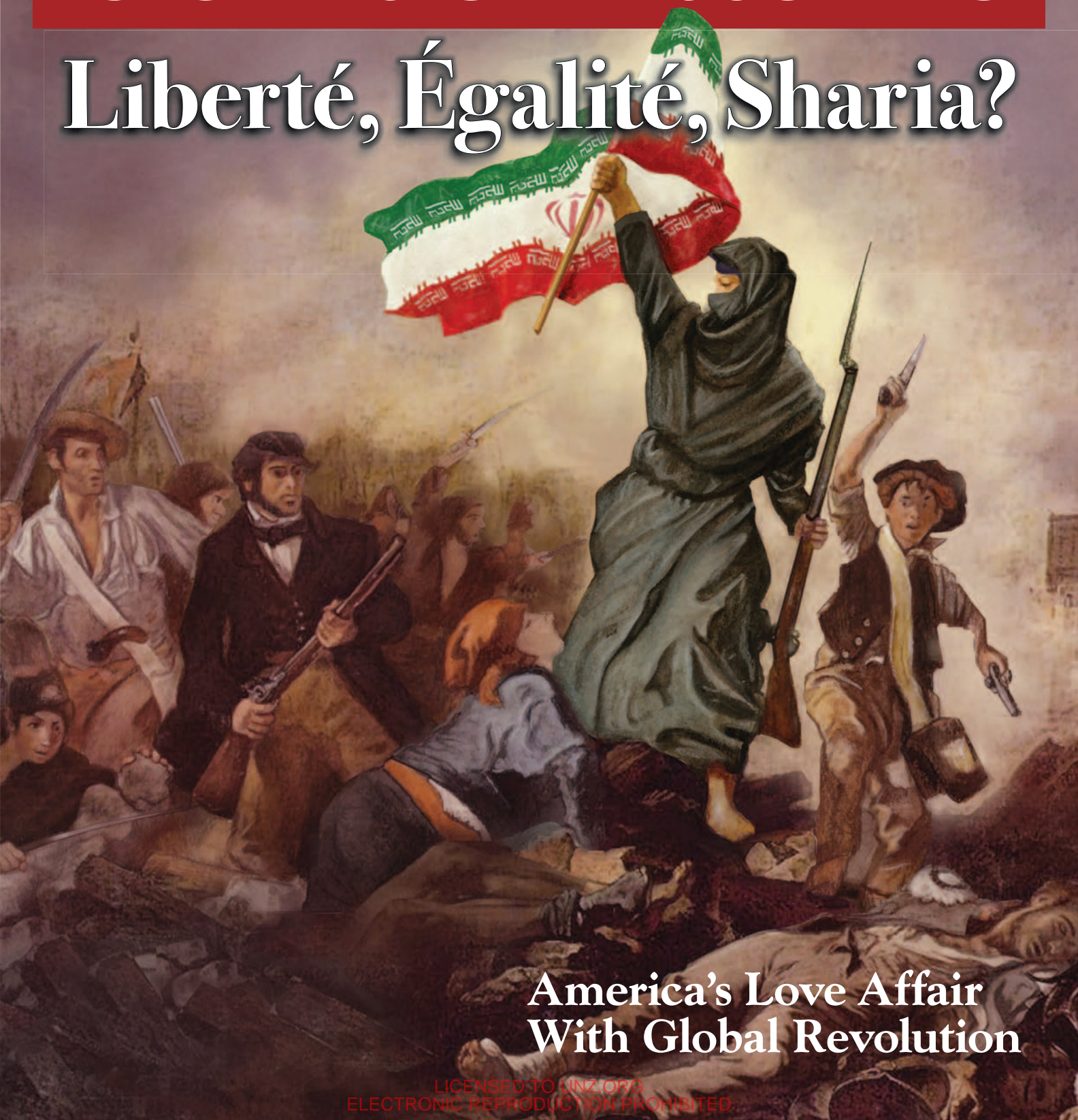


SACK BERNANKE ■ IS GOD AN AMERICAN? ■ HATS OFF TO HENTOFF

SEPTEMBER 2009

The American Conservative

Liberté, Égalité, Sharia?



America's Love Affair
With Global Revolution

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HOW MANY PRONGS MAKE A RIGHT?

Jeff Huber's article on the Civilian Response Corps ("Dumbest Idea on the Planet," August) is obviously a hit piece on Mr. Feith. I hope my boss agrees to write something. We have many men and women that we are deploying to make a difference in preventing conflict and stabilizing countries. We are putting people in harm's way to support our embassies to not need thousands of American troops. This piece is an unfortunate slap at the work these Americans are doing.

For example, fighting piracy is not only a military operation. There are many prongs to it. My office put money toward stabilizing the government in Somalia a year before this latest piracy issue. A strong central government is what is needed most to end piracy. We are working with courts to see that pirates get proper trials, to stabilize governments that are fostering this activity, and we are working on development and diplomatic approaches to find solutions. These are all nonmilitary roles and non-combat missions.

TODD D. CALONGNE
Public Affairs Officer
U.S. Department of State
Via e-mail

UNCONQUERABLE AFGHANS

With regard to Paul Robinson's piece on the Soviet experience of nation-building in Afghanistan ("Russian Lessons," August), while I'm far from an expert in geopolitics, I do have the advantage of having traveled across Afghanistan in 1976, shortly before the Russian invasion and while the country was still relatively safe and hospitable to foreigners. I traveled with one of the British companies generically referred to as "overlanders" who provided a retrofitted British Army truck and a guide to ferry groups of 15 to 20 tourists between Kathmandu, Nepal, and London. So while I was there in the guise of a mere tourist, I did see the lay of the land.

It's incredibly tough countryside. You can be 20 minutes out of Kabul and be unfindable if you so choose. And if the landscape is tough, the people are tougher. They're intelligent, hard-bitten, excellent shots with even the most primitive rifles, and ultimately unconquerable. Genghis Khan, Alexander the Great, the British Empire, and the Soviets chased these wily mountain men around the Hindu Kush for thousands of years with only limited success. (One of the more interesting activities in Afghanistan is trying to identify the descent of the local people, from Mongol features in a remote northern province to Macedonian blue eyes in Kabul.)

Whatever the answer is to containing al-Qaeda's activities, a strictly military solution isn't it.
SHAY LYNN
Centennial, Colo.

TAC ON THE RACK

Sometimes when reading *TAC*, I have to look at the cover to make sure I'm not reading *The New Republic*. This happened again while reading Andrew Brown's "Tortured Truth" (August). I agree that torture is to be disdained by civilized societies, but I think that first you have to define what torture is. I don't agree that waterboarding is in fact torture. Torture is being decapitated with a dull knife or having someone go to work on your nipples, knuckles, and testicles with a pair of vise grips. Torture leaves the victim dead or permanently deformed or dysfunctional. Waterboarding leaves the victim with an unpleasant memory.

I think your vitriolic hatred of Bush and Cheney has destroyed your objectivity. While I agree that going to war in Iraq was at best a very bad idea, I don't agree that everything that resulted from the war was bad. I suspect you of having a pathological craving for Keith Olbermann's approval.

Finally, if you ask anyone who has been in combat or has had friends killed

or wounded in combat what their priorities are, I believe that causing the "agony of their enemies" would be very high on the list.

Ultimately, war is immoral but inevitable. Is it possible to practice moral behavior while participating in an immoral act?

DR. STEVEN JOHNSON
Via e-mail

SOUTHERN AVENGER

Bill Kauffman wrote a brilliant column ("Hush, Hush, Sweet Charlotte") in the August issue. As a native North Carolinian, I am outraged that my home state's largest city is apparently ashamed to be part of it. The very phrase "New South" makes my blood boil and must make my Confederate ancestors turn over in their graves. "New South" is a sellout and a betrayal of Southern heritage, along with being a politically correct code phrase.

I know this applies to the University of North Carolina, but it could also easily apply to natives and residents of our great state: "I am Tar Heel born and Tar Heel bred. And when I die, I'll be Tar Heel dead." I am exceedingly proud of my home state, and the city of Charlotte should be too.

My comments are in no way directed at the people of Charlotte, who I am sure are exceedingly proud to be North Carolina residents. My criticism is for the civic and business leaders who seemingly want to detach "North Carolina" from the city's name to appease Big Business and the globalist community.

PATRICK LLOYD
High Point, N.C.

The American Conservative welcomes letters to the editor. Submit by e-mail to letters@amconmag.com, by fax to 703-875-3350, or by mail to 1300 Wilson Blvd., Suite 120, Arlington, VA 22209. Please include your name, address, and phone number. We reserve the right to edit all correspondence for space and clarity.

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[AFGHANISTAN]

WHEN DID WE BECOME THE SOVIETS?

In January, AfPak was all the foreign-policy rage. America's real enemies, al-Qaeda and the Taliban, were still out there, plotting away in the borderlands of Waziristan and Balochistan, averred the incoming administration's spokesmen. The new commander in chief could not only pronounce the place names—he had the terrorists in his sights. Another surge, and we'd win.

That enthusiasm has faded. With the body count rising—43 allied troops in the first half of July alone, which debunks the counterinsurgency counterlogic that more troops means fewer dead—and the country falling apart, victory appears impossible.

Chaos is winning instead. As *TAC* went to press, President Hamid Karzai, Afghanistan's leader since 2001, was widely expected to triumph in the elections of Aug. 20, despite being widely reviled by his people as a puppet of the West. His success comes not from popularity but from bribes and coercion, carried out through intricately arranged alliances with regional warlords. After a grossly rigged election, experts fear that Afghans could rise up against their president and turn on the Western forces in their midst.

America and her allies face a farcically awkward situation. Having stormed Afghanistan eight years ago in order to remove the theocratic tyranny of the Taliban, they find themselves propping up an increasingly squalid, unpopular, and oppressive regime in Kabul. Canada has had enough and has announced plans to pull out.

Even President Obama is now making noises about "reassessing" the AfPak situation in light of the elections. But it is becoming harder and harder to recognize the bad guys amid the mess. They might just be us.



[TECHNOLOGY]

COGS OF WAR

War would be so much nicer if it weren't for all those dead bodies. Thankfully, Robotic Technology Inc. has found an eco-friendly way to tidy up. The Maryland-based Pentagon contractor is developing a robot that "can find, ingest, and extract energy from biomass in the environment (and other organically-based energy sources)." Don't be fooled by the earthy advertising: these beasts are carnivores. As Fox helpfully points out, "animal and human corpses contain plenty of energy, and they'd be plentiful in a war zone."

But wait, there's more. "The robot would be extremely flexible ... and could roam on its own for months, even years," blurbs the cable channel that launched a thousand drones. This "essentially benign artificial creature ... fills its belly through foraging, despite the obvious military purpose."

Granted, it can be tricky to distinguish between a dead *jihadi* and a live child. But dated notions like "humanity" and "morality" shouldn't stand in the way of progress. Why settle for dogs of war when you can have bloodthirsty androids prowling the countryside for years to come?

[POLITICS]

CZAR GAZING

Forget nanny state—think *nyanya* state. With nearly two dozen new czars, President Obama has set a new record for cooks in a Kitchen Cabinet.

The White House-based policy coordinators became prominent in the 1980s, when Ronald Reagan and George H.W. Bush used them to prosecute the failed War on Drugs, with Bill Bennett one of the first to hold the imperial title. Bill Clinton added czars for healthcare and AIDS, while George W. Bush expanded the czardom to include cybersecurity and national intelligence.

These days the president has czars to run all facets of the empire—the car industry, stimulus accountability, domestic violence, even the Great Lakes. Some of the czars are relative commoners crowned from obscurity. Others are luminaries who can't be troubled with running a large bureaucratic apparatus while whispering in the president's ear: Czar of the Economy Paul Volcker, Czar of Regulation Cass Sunstein, and Czar of Executive Pay Kenneth Feinberg, the former Special Master of 9/11 compensation.

As with special foreign envoys, these off-the-flowchart appointments enjoy easy access, working among the inner circle of courtiers known as the Executive Office of the President. Many are not subject to Senate confirmation and may consequently qualify for executive privilege immunity, which can be invoked to refuse requests to testify before Congress.

The menacing tone of the term should illustrate the dangerous precedent set by these unaccountable members of the executive branch. The appointment of czars began as a tool for temporary

coordination on a front-burner issues. Now they are a way for the president to unilaterally add federal tentacles by signing an executive order, no doubt hastily drafted alongside the press release touting the latest superhero to join the team.

[JUSTICE]

PRECARIOUS BALANCE

Barack Obama's nomination of a *soi disant* "wise Latina woman" to the Supreme Court looked for a moment as if it might prompt a national debate on the racial spoils system euphemistically known as "affirmative action." At issue was less whether Sonia Sotomayor herself had advanced—to the top of her class at Princeton, no less—through reverse discrimination than her support for the policy from the bench. Unluckily for her, while her confirmation was pending, the Supreme Court overturned her Appeals Court ruling in *Ricci v. DeStefano*, the case of a white Connecticut firefighter denied promotion because of his race.

A debate about affirmation action was the most that might have been hoped for in Sotomayor's confirmation hearings since her eventual success was in little doubt. With a filibuster-proof 60 Democrats in the Senate, Republicans had slim chances of derailing her—and many GOP senators were not even inclined to put up a fight. Lindsey Graham soothed Judge Sotomayor, "Unless you have a complete meltdown, you're going to get confirmed."

Her addition will not tip the balance of the court, at least in conventional Left-Right terms. She replaces Justice David Souter, a reliable liberal and supporter of *Roe*. But Sotomayor might change the court in other, equally important ways. Souter, for all his faults, was one of the court's stronger critics of executive-branch aggrandizement in cases such as *Hamdi v. Rumsfeld*,

where he rejected presidential power to detain American citizens indefinitely without trial. Sotomayor's views on the proper limits of the executive office are less well attested, though Cato Institute scholar Gene Healy sees "some reason to be cautiously optimistic that she won't roll over on claims of broad presidential power when it comes to national security issues."

The balance of the court might not be at stake in Sotomayor's nomination, but the balance of government might well be. Yet Republicans and Democrats alike would rather talk about anything—even abortion or affirmative action—other than the executive branch's steady usurpation of the Constitution.

[2012]

GOP IDENTITY CRISIS

No one could have predicted that two of the Republican Party's rising stars would flame out so spectacularly. First came Mark Sanford, plodding and parochial, suddenly waxing sappy about his Latina "soulmate." Then there was gritty Sarah Palin, all pitbull jokes and Arctic vim, turned violet shrunk by the media glare. Within days of each other, this pair of presidential hopefuls assembled the cameras and delivered political suicide notes.

There could be no more obvious proof of the GOP's unseriousness. One contender was more preoccupied with "five days crying in Argentina" than crafting a vision and proving trustworthiness to lead. The other was more interested in making a name than doing a job.

We've had a Republican president who wanted to be The Decider but hadn't a clue what to do. Indeed, we have a whole party that craves power but has only a glancing interest in principle. Perhaps it's just as well that these two governors incapable of governing their own appetites disqualified themselves early on. ■

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United Colors of Democracy

That revolution looks great on you

By Ted Galen Carpenter

AMERICANS HAVE A LONG, depressing history of idealizing foreign political movements and revolutions. Even some followers of Thomas Jefferson fawned over the French Revolution, mistaking it for an ideological cousin of America's own campaign for liberty. It was not until the onset of the Terror and its over-time use of the guillotine that admirers in the United States belatedly recoiled in horror.

Now we have two new examples of Americans projecting democratic values onto murky foreign upheavals. One occurred in Honduras, where the military ousted left-wing President Manuel Zelaya and sent him into exile. American opinion leaders immediately took sides. The Obama administration stressed that Zelaya was democratically elected and demanded that he be restored to office. Conservatives asserted that Zelaya's opponents were the real democrats. This was not an old-fashioned Latin American coup, they insisted, noting that the army chiefs acted only after both the Honduran supreme court and national legislature urged them to do so. Zelaya, American critics charged, was a Hugo Chavez clone who unconstitutionally sought to extend his term and create a dictatorship.

Both American factions deserve awards for naïveté. Given the long history of military coups in Central America, it strains credulity to believe that the Honduran military acted merely at the behest of civilian judges and legislators. And one should not assume that those civilian factions were spurred by pure

motives rather than engaging in a mundane power struggle.

The Obama administration's attitude was even more obtuse. The president's position was reminiscent of Bill Clinton's Haitian policy in the mid-1990s, when the U.S. threatened to invade if the military junta didn't restore elected President Jean-Bertrand Aristide. Never mind that Aristide was both erratic and autocratic. Never mind that his followers routinely tortured and murdered political opponents. Never mind that his corrupt economic policies made the situation in a desperately poor country even worse. The fact that he won an election seemed to be all that mattered to his hero worshipers in the United States. Obama administration officials appear to regard the Honduran situation in much the same way, conveniently ignoring Zelaya's abuses.

While there was a split along ideological fault lines in the United States regarding the Honduran turmoil, there was pervasive enthusiasm about the anti-government demonstrations in Iran. Here were pro-Western democratic reformers struggling against religious zealots who blatantly stole a presidential election.

As is often the case, the narrative contained a kernel of truth. Iran's regime is certainly one of the more stifling on the planet, and there seemed little doubt that the hardline clerics maneuvered to keep Mahmoud Ahmadinejad in power. (The announcement of final results barely four hours after the polls closed, when 40 million paper ballots were cast,

was compelling evidence of fraud, as was Ahmadinejad's startling ability to carry long-standing reformist strongholds.)

Yet the many Americans cheering the demonstrators who took to the streets to challenge the results painfully oversimplified the situation. To start, the "reformist" presidential candidate, Mir-Hossein Mousavi, was not exactly a secular democrat. During the 1980s, he served as Ayatollah Khomeini's prime minister and ordered the imprisonment or execution of thousands of regime critics. In the recent political struggle, Mousavi and many of his followers appeared moderate only when compared to Ahmadinejad and other Islamic fire-breathers.

Republicans who pressed President Obama to endorse the demonstrations predictably equated the Iranian opposition with Eastern Europeans who resisted the Soviet occupation of their countries during the Cold War. But Lech Walesa, Vaclav Havel, and most other prominent dissidents were genuine democrats, albeit often with rather left-leaning economic views. The political makeup of the Iranian opposition was decidedly cloudier. Key players who backed Mousavi included former presidents Rafsanjani and Khatami, as well as approximately 40 percent of the Guardian Council, the assembly of senior mullahs. Virtually none of those individuals could be mistaken for committed democrats. On balance, the tumult was at least as much a split within the clerical hierarchy as a true

democratic rebellion, a point that largely eluded Americans who urged the Obama administration to get involved.

This was hardly the first time that the U.S. had viewed allegedly democratic movements in other countries through the prism of American values. In April 2005, President George W. Bush described Ukraine's Orange Revolution, led by Viktor Yushchenko and Yulia Tymoshenko, as "a powerful example of democracy for people around the world." "The ideals of the new Ukraine are the ideals shared by Western civilization," he asserted. That praise was relatively restrained compared to his assessment of the achievement in Georgia.

In a May 2005 speech in Tbilisi, Bush hailed Georgia's democrats for creating the template for Crayola revolutions: "Before there was a Purple Revolution in Iraq or an Orange Revolution in Ukraine or a Cedar Revolution in Lebanon, there was a Rose Revolution in Georgia." He continued, "Your courage is inspiring democratic reformers and sending a message that echoes around the world: Freedom will be the future of every nation and every people on Earth." Georgia, he added, was "building a democratic society where the rights of minorities are respected; where a free press flourishes; where a vigorous opposition is welcomed and where unity is achieved through peace."

Four years later, the bloom is definitely off the Rose Revolution. There is mounting evidence implicating President Mikheil Saakashvili in political corruption and human-rights abuses. In September 2007, Irakli Okruashvili, an opposition leader and former defense minister, reported that Saakashvili had instructed him to have a Georgian economic oligarch assassinated. More generally, he accused the government of "dishonesty, injustice and repression." In response, Georgian authorities arrested Okruashvili.

Even if lurid tales of assassination plots remain unsubstantiated, other abuses do not. A 2008 report by the International Crisis Group concluded that Saakashvili's government "has become increasingly authoritarian." A 2007 Human Rights Watch report accused the regime of "taking serious steps" to undermine human rights and the rule of law. Saakashvili's administration has brutally suppressed opposition street demonstrations, jailed dozens of political critics, and just before the crucial January 2008 election, shut down opposition media outlets, including the country's main television station. International observers refused to certify the May 2009 parliamentary elections as either free or fair. Even Freedom House, an early admirer of the Rose Revolution, concedes in its new *Freedom of the World 2009* report that Georgia ranks as only "partly free" and that the trend arrow is pointing down.

The situation in Ukraine is only marginally better. The Orange coalition has degenerated into a comic opera rivalry between Yushchenko and Tymoshenko, with the latter periodically making common cause with Viktor Yanukovich, an old-style communist pol whom U.S. officials scorned as a Russian stooge. Corruption charges continue to dog Yushchenko's administration: his young son tools around the streets of Kiev in a six-figure sports car. The president's approval rating is now in the single digits, and Tymoshenko's is not much better. Once again, an American-lauded "democratic" revolution has become an embarrassment.

Such developments mock the breathless enthusiasm that the Bush administration and most conservatives expressed for the Rose and Orange Revolutions. It would be a mistake, though, to conclude that misplaced support for foreign "democratic" political movements is the exclusive fantasy of conservative Republicans. It is a bipartisan folly.

Before and during the Kosovo War in 1999, liberal politicians and pundits in the United States lionized the Kosovo Liberation Army. Sen. Joe Lieberman gushed, "The United States of America and the Kosovo Liberation Army stand for the same values and principles. Fighting for the KLA is fighting for human rights and American values." In reality, the KLA was a motley collection of unreconstructed communists, Albanian nationalists, organized crime thugs, and Islamic extremists. Lieberman's paean verged on the obscene. Unfortunately, his fondness for the KLA was only slightly greater than that exhibited by Secretary of State Madeleine Albright, United Nations ambassador Richard Holbrooke, and the other Clinton administration officials directing Washington's policies in the Balkans.

Perhaps the most notorious example of our policymakers linking America's fortunes to sleazy foreign movements was our support for Ahmad Chalabi and the Iraqi National Congress in the years leading up to the invasion of Iraq. Despite longstanding indications that Chalabi and company were corrupt political operators with disturbing ties to Iran, neoconservative cheerleaders treated Chalabi as the George Washington of Iraq. The INC exploited that gullibility to feed the U.S. government and the American news media bogus information about Saddam Hussein's alleged ties to al-Qaeda and Iraq's nonexistent weapons of mass destruction.

Chalabi's lame excuse that he and his associates were "heroes in error" did not allay suspicions that the deception had been deliberate. His democratic credentials and his political support inside Iraq proved to be illusory. When elections were held for Iraq's parliament, his party garnered barely 0.5 percent of the vote. So much for the political giant that Washington believed would lead Iraq into a new democratic era.

One would hope that policymakers might learn from these bruising experiences. But the Iran episode suggests that they continually fail to appreciate cultural differences or complexities. Consider the portrayal of Lebanon's Cedar Revolution as a democratic surge. Lebanon's political arena is a labyrinth of opaque and shifting alliances involving pro- and anti-Syrian forces; Sunni, Shi'ite, and Druze factions; and at least two major—often feuding—Christian groups. Sorting all that out taxes even the most knowledgeable experts. Yet the talking heads on Fox News saw fit to pontificate about Lebanon's political struggle.

The attempt to portray events in Iran as a replay of the ouster of Soviet puppet regimes in Eastern Europe is erroneous on many levels. While Eastern Europeans may have welcomed an American embrace, few Iranians would. Washington was seen as the enemy of Eastern Europe's imperial oppressor, the Soviet Union. Yet Middle Eastern populations—rightly or not—regard the United States as their region's imperial oppressor.

Furthermore, whether or not foreign movements are genuinely democratic should have little bearing on U.S. foreign policy. Even if Mikheil Saakashvili were the second coming of Thomas Jefferson, it would have been unwise for the United States to go nose to nose with a nuclear-armed Russia when war broke out last year between that country and Georgia. In the same fashion, a victory by anti-Ahmadinejad forces would not necessarily solve the issue of Tehran's nuclear ambitions. That program began under the Shah, not the clerical regime, and there is no evidence that a new, more moderate government would give it up.

Why are Americans so susceptible to being gulled? Cynics might argue that our leaders do not actually believe that most supposedly democratic upheavals are genuine, but portray them as such if the insurgent faction is amenable to

Washington's economic or strategic goals. They stress alleged democratic credentials to soothe an American public that would balk at embracing questionable movements or regimes on the basis of realpolitik. After all, throughout the Cold War, Washington routinely portrayed friendly autocrats, no matter how brutal, as members of the "free world." At one point, Vice President George H.W. Bush hailed Ferdinand Marcos for his "commitment to democratic principles," even as the Philippines groaned under martial law imposed a decade earlier.

Yet one should not underestimate the capacity of even jaded politicians to engage in self-delusion. How else does one explain George W. Bush's embarrassing assertion that he had looked into the eyes of Vladimir Putin and seen the soul of a good man?

Ordinary citizens can be even more susceptible to wishful thinking. Americans are understandably proud of the

values symbolized by our revolution and enshrined in the Declaration of Independence. For more than two centuries, we have expected other societies to emulate that model. At times this has occurred. On too many other occasions, Americans have mentally shoehorned unsavory political movements into the category of liberal democracy. To win support from the United States, foreign factions have become adept at telling us what we want to hear. But for our psychological, as well as our political and strategic well-being, we might pause before automatically embracing the next gathering of dissidents in some far-flung capital as newborn democrats begging for our aid. ■

Ted Galen Carpenter, vice president for defense and foreign policy studies at the Cato Institute, is the author of eight books on international affairs, including Smart Power: Toward a Prudent Foreign Policy for America.

Universal Nation

Barack Obama sees a world without borders —
a vision Islam shares.

By John Laughland

IF CONFIRMATION were needed that Barack Obama's foreign policy will retain the same philosophical assumptions that underpinned George W. Bush's, it came quickly enough in the new presidency. Speaking to an economics college in Moscow on July 7, the new president said that the U.S. was distinguished by "a commitment to certain universal values." He repeated the phrase twice more in the

speech, then used it a day later with respect to the crisis in Honduras.

Obama had told the Russians that he wanted to press the "reset" button on the American relationship with Moscow. Perhaps his listeners did not expect him to use the term so literally: when you reboot a computer, it starts over exactly as before.

He did indeed sound like Bush who, on numerous occasions—perhaps most

forcefully in the notorious National Security Strategy of September 2002—also avowed that the U.S. stood for universal, not American, values: “The United States must defend liberty and justice, because these principles are right and true for all people everywhere.”

Obama said almost identical things in his address to the Muslim world in Cairo the previous month. Indeed the two speeches, Moscow and Cairo, both given to students, followed the same template: first deferential praise for the great history and culture of the nation or religion being addressed (medieval Muslim learning, Russian novels); then references to the past and present divisions between them and America (Islamic terrorism, the Cold War and its legacy); and finally a conclusion about shared challenges, hopes for peace and cooperation, and above all sentiments about a “common humanity.” Obama used this very phrase in his televised address to Iran in March.

It may be unremarkable to hear a political leader invoking universal values or speaking hopefully about the future. But the tripartite structure of these speeches—which recalls the old Hegelian pattern of thesis, antithesis, synthesis—indicates a deeper philosophical assumption that is far more important than cheap emoting about the young. This Gnostic triad has wielded huge power over the political imagination for centuries, not least because it offers easy hope for a better world to come, inspiring Marxism and liberalism alike. All these unspoken assumptions came glaringly to the fore in yet another indication of Bush-Obama continuity: the reactions in both politics and the media to the unrest in Iran following the disputed presidential election in that country.

For a few days in June, there played out on our television screens exactly the same fairy-tale that had been so

successfully peddled in Ukraine at the height of George W. Bush’s presidency. What was obviously a battle between two powerful members of the political establishment (in Ukraine, between an incumbent prime minister and a former one; in Iran, between an incumbent president and a former prime minister) was elevated to a Manichean struggle between the forces of good and evil, progress and reaction. In our TV depictions, the huge demonstrations in favor of the “bad” candidate were never portrayed as “the people,” only those in favor of the “good” one. The fact that, in both Iran and Ukraine, the “good” candidate had himself been powerful in the very regime his supporters were allegedly contesting was also overlooked.

THOMAS MANN ONCE WROTE THAT SUPPORT FOR NAZISM COULD BE EXPLAINED BY AN OUTBREAK OF THE COLLECTIVE SENTIMENT, “WE DON’T WANT REALITY, GIVE US A FAIRY TALE INSTEAD.”

The important parallels did not, however, lie in this use of identical political technologies, although we should not forget that for decades coups and revolutions have deployed them with remarkable monotony. They lie instead in the extraordinary enthusiasm with which people in the West greeted the events in Iran. Thomas Mann once wrote that support for Nazism could be explained by an outbreak of the collective sentiment, “We don’t want reality, give us a fairy tale instead.” This is the key to understanding the West’s love of revolutions, too. We want to believe that politics can and should be a story with a happy ending. Just as children seek reassurance in having the same story told to them over and again, we like to hear the tale about “the power of the

people,” regardless of which unknown city the fable is set in.

The reason this fairy tale touches us so deeply is emotional. There is a strong sense in the U.S. that inside every Iranian (or Ukrainian or Georgian or Kyrgyz), an American struggling to get out. This is not because of a belief that Americans are better than other people but because of a conviction that America embodies the whole of humanity. As a nation of immigrants united under a constitution, she is, in Ben Wattenberg’s phrase, “a universal nation”—whence the “universal values.” Newt Gingrich expressed this with clarity in 1996 when he correlated the New Right’s love of a muscular foreign policy with its support for immigration, writing, “No country has ever had the potential to lead the entire

human race the way America does today. No country has ever had as many people of as many different backgrounds call on it as we do today.” The love of revolutions abroad is therefore a reflection of our own ideas about ourselves and our societies.

Barack Obama seldom misses the chance to express this idea himself. There are many Muslim Americans, he tells his Islamic audiences, and there are Russian ice hockey players in Washington D.C., he says in Moscow. The world is interdependent and humanity is one. It is obvious that Barack “Benetton” Obama, a child of mixed race born in the U.S. almost by chance, who then grew up in Indonesia, himself embodies precisely this “universalism,” in the specifically cosmopolitan sense of the word. Small wonder that, like Bush, he is a

convinced globalist: for all his seemingly redneck rhetoric, Bush also believed in the role of supranational law and institutions, fighting the Iraq War, for instance, on the basis that UN Security Council resolutions had to be enforced.

This is the political equivalent of the message expressed (ungrammatically) by John Lennon: “Imagine there’s no countries, It isn’t hard to do, Nothing to kill or die for, And no religion too, Imagine all the people, Living life in peace.” The key word is “imagine.” The concept of universal political values may have been the cornerstone of the Enlightenment, but the Enlightenment itself—which we usually think of as an eminently rationalist movement—was in

physical system when he claimed that the only true reality was the categorical imperative—an abstract universally valid proposition that becomes real when it is willed. He did this because he thought ordinary reality was otherwise unknowable. The attraction of Enlightenment liberalism, therefore, is the result of a deep emotional need for a philosophical system that enables man to create a reality in a universe he does not understand and thereby to escape from the difficulties of the world by believing that everything will turn out all right in the end. Lacking a real belief in the afterlife, it also holds that the drama of human salvation is played out in this world, in history and politics.

BECAUSE IT HAS **NO PRIESTHOOD**, ISLAM, AND ESPECIALLY SHI’ISM, IS ITSELF A **FUNDAMENTALLY “DEMOCRATIC” RELIGION** COMPARABLE TO PURITANISM AND OTHER FORMS OF PRESBYTERIANISM. THERE IS **NO ESTABLISHED HIERARCHY**.

fact hopelessly emotional and escapist. Marie-Antoinette’s construction of a fantasy milkmaid’s farm in that temple of the Enlightenment, the gardens of Versailles, was not an aberration: the king of the Enlightenment *philosophes*, Rousseau, based his understanding of the “noble savage” on fantasies about the state of nature gleaned from tales about natives in the Pacific islands. In his *Discourse on the Sources of Inequality Among Men*, Rousseau specifically says that his theories about the “state of nature” are not based on observed fact but on pure speculation, which is to say, imaginings. The “social contract” is not a contract at all: it is a myth.

The Enlightenment, whose children we all are, really believed that the wish is more important than the reality. Immanuel Kant, the greatest of all Enlightenment philosophers, raised this absurd thought to the level of a meta-

The key horror from which this escapism allows relief is oppression. So deeply have our minds and hearts been penetrated by the myth of liberalism that we are in love with the image of a “horizontal” political order in which the people come together to elect a leader who nonetheless remains their equal. Any notion of “vertical” power is deeply anathema: how much more exhilarating it is to create reality by acts of will than to have to bend one’s mind to a pre-existing order. This is the very opposite of the traditional Christian model in which political power is wielded vertically: Christ says to Pilate, “You would not have any power over me if it had not been given you from on high.” But vertical power was never understood as dictatorship: quite the contrary. Rooted in God, the power of the prince is itself part of the basic structure of the universe, which it is the

sole purpose of his sovereignty to protect. It is precisely because we have today lost any sense of sovereignty rooted in law and reality that we equate it with tyranny.

All this explains why Iran is specifically tantalizing. Uniquely in the Muslim world, Iran has an intensely vigorous political system that contains very strong doses of democracy. This is not something one can say about any other Muslim state, and it explains why the politics of Saudi Arabia or even Turkey leave us cold. Moreover, and more deeply, because it has no priesthood, Islam, and especially Shi’ism, is itself a fundamentally “democratic” religion comparable to Puritanism and other forms of Presbyterianism. There is no established hierarchy: the Koran must be read equally by all. Of course Allah is supreme and Islam demands absolute submission to him: on the face of it, this seems the opposite of the liberal model according to which the individual is subjected only to himself. But this very submission is egalitarian, creating a mass of individuals who are equal in their abstractness. Moreover, God’s will is just will, it has no correlation to natural order as in the Christian or Jewish tradition. Islam is therefore a profoundly voluntarist religion. Because Allah is absolutely transcendent and unknowable, he is like the Kantian thing in itself: mere command.

For this reason, globalists in fact have Islam as an objective ally. Both forces destroy the concept of natural order and of individual political communities (nations). Both claim to embody universal values. Perhaps it is no wonder that, as President Obama likes to remind us, Thomas Jefferson had a copy of the Koran in his library. ■

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Global Crack-Up

SO GRAVE WAS THE CRISIS in western China that President Hu Jintao canceled a meeting with President Obama, broke off from the G8 summit, and flew home.

By official count, 158 are dead, 1,080 injured, and 1,000 have been arrested in ethnic violence between Han Chinese and the Muslim, Turkic-speaking Uighurs of Xinjiang. That is the huge oil-rich province that borders Pakistan, Afghanistan, and several Central Asian countries that seceded from the Soviet Union.

Uighur sources put the death toll much higher. The Communist Party chief in Xinjiang has promised to execute those responsible for the killings.

In 1989, fear that what was happening in Eastern Europe might happen in Beijing produced Tiananmen Square. The flooding of Chinese troops into Xinjiang bespeaks a fear that what happened to the Soviet Union could happen to China. Unlike Mikhail Gorbachev, the Chinese, as they showed in Tibet, will wage civil war to crush secession.

Already, Beijing has struggled to ensure perpetual possession of Inner Mongolia, Xinjiang, and Tibet—half of the national territory—by moving in millions of Han Chinese, swamping the indigenous peoples, as they did in Manchuria.

The larger issue here is the enduring power of ethnonationalism—the drive of ethnic minorities, embryonic nations, to break free and create their own countries, where their faith, culture, and language are predominant.

Ethnonationalism caused the Balkan wars of 1912 and 1913, triggered World War I in Sarajevo, and tore apart the Austro-Hungarian and Ottoman Empires. Ethnonationalism birthed Ireland, Turkey, and Israel.

Ethnonationalism in the 1990s tore apart the Soviet Union and Yugoslavia,

and broke up Czechoslovakia, creating two-dozen nations out of three. Last August, ethnonationalism, with an assist from the Russian Army, relieved Georgia of Abkhazia and South Ossetia.

Ethnonationalism split the Asian subcontinent up into Pakistan, India, and Bangladesh. Iran, Iraq, and Pakistan are all threatened.

In Iran, Persians are a bare majority against the combined numbers of Azeris, Kurds, Arabs, and Baluch. Each of those minorities shares a border with kinfolk—in Azerbaijan, Kurdistan, Iraq, and Pakistan.

If one were to wager on new nations, Kurdistan and Baluchistan would be among the favorites. And Pashtun in Pakistan outnumber Pashtun in Afghanistan, though in the latter they are the majority.

In Africa, the savage attacks on the Kikuyu by the Luo manifest a resurgent tribalism, as did the horrors of Rwanda, where Tutsi in the hundreds of thousands were massacred by Hutu.

President Clinton may have apologized to the Africans for not sending troops to stop the genocide in Rwanda, but if the America of Obama is into interventionism to protect human rights, Africa in the 21st century should provide us plenty of opportunity.

Evo Morales in Bolivia, Ollanta Humala in Peru, and Venezuela's Hugo Chavez are stoking the embers, goading the Indian populations, the indigenous peoples, to take back what the white man took 500 years ago. They have met with no small success.

The contrast between insouciant America and serious China today is instructive. China is protectionist; America free trade. China is nationalist; America globalist. China's economy is

export-driven; America's base is consumption. China saves; America spends. China uses its foreign exchange to lock up overseas resources; America uses foreign aid for humanitarian assistance to failed states. Behaving like ruthlessly purposeful 19th-century Americans, China grows as America shrinks.

Where Beijing floods its borderlands with Han to reduce indigenous populations to minorities and stifles religious, ethnic, and linguistic diversity, America—declaring “Diversity is our strength!”—invites the world to come to America and swamp her own native-born.

Observing the lightning breakup of the Soviet Union, the Chinese take ethnonationalism seriously. America's elite regard it an irrelevancy, an obsession only of the politically retarded.

After all, they tell us, we were never blood-and-soil people, always a propositional nation, a nation of ideas. Our belief in democracy, diversity, and equality defines us and makes us different from all other nations.

Indeed, we now happily anticipate the year 2042, when Americans of European ancestry become a minority in a country whose Founding Fathers declared it set aside for “ourselves and our posterity.”

Without the assent of her people, America is being converted from a Christian country, nine in 10 of whose people traced their roots to Europe as late as the time of JFK, into a multiracial, multiethnic, multilingual, multicultural Tower of Babel not seen since the late Roman Empire.

The city farthest along the path is Los Angeles, famous worldwide for the number, variety, and size of its ethnic and racial street gangs.

Not to worry. It can't happen here. ■

Prophet & Loss

Ben Bernanke's bad predictions should preclude his reappointment.

By Wilson Burman

IF THERE WAS ANY DOUBT that the Greenspan era was over, Ben Bernanke's rough day on June 25 dispelled it. The Federal Reserve chairman endured hours of grilling by the House Oversight and Government Reform Committee, a stunning contrast to the deferential treatment long accorded to his predecessor. With Bernanke's four-year term winding down, the debate over whether President Obama will reappoint him is getting a lot louder.

The committee's sharp questions focused on the role the Federal Reserve played in Bank of America's takeover of Merrill Lynch last year. But Fed watchers have recently been focusing on important new evidence of Bernanke's actions in the early part of the decade. The Federal Open Market Committee (FOMC) meets eight times a year to plan various aspects of monetary policy, including interest rates. It releases verbatim transcripts after a five-year lag. Fed members often make speeches and give interviews, but the transcripts show exactly what goes on behind closed doors.

2003 was a pivotal early bubble year. The war drums had been beating for months, which suppressed economic activity in the early part of the year. But by the middle of 2003, Iraq was an apparent success. With "Mission Accomplished" as the national mantra and Saddam in the market for spider holes, American consumers let out a collective sigh of relief. Third quarter GDP growth was a stunning 7.5 percent. The fiscal and monetary jets were on full blast. George W. Bush's tax cuts passed that

May, and in June the Fed cut the fed funds rate to 1 percent and kept it there for the next year. The great national binge was underway.

But the FOMC transcripts show that Bernanke, then a Fed governor, was feeling a bit grumpy. With the economy gathering speed and the fed funds rate already at a historic low, he searched for reasons to cut interest rates even further. The text of the meeting on Aug. 12, 2003 evidences his concern:

Despite the good news, I think it's premature to conclude that we should not consider further rate cuts, if not at this meeting then at some time in the near future depending on how the data play out. My concern is focused on the behavior of inflation both in the short term and in the long term. Regarding the short term, though I can see that output gaps are extremely hard to measure, the most reasonable guess is that the current gap remains substantial. Moreover, because of rapid productivity growth, the gap may close very slowly in coming quarters even if output growth is quite strong. That's bad news for workers, and it poses some risks to consumer spending. More to the point, a persistent output gap implies that additional disinflation over the next year remains a distinct possibility. Even if we consider actual deflation to be too remote to worry about, further disinflation poses important risks.

Bernanke's caveat about output gaps was appropriate. The output gap is the difference between the actual output of an economy and the output it could achieve at full capacity. As economic statistics go, it is notoriously unreliable. Actual GDP is hard enough to measure and is habitually revised. One can imagine the pitfalls of a group of statisticians in Washington trying to estimate the collective potential of the entire U.S. economy. Beyond that, some larger dynamics affect the utility of the output gap as a statistic. If Detroit makes cars that consumers don't want, leaving large parts of the automobile industry and its associated national supply chain fallow, the output gap will reflect that. So too if a U.S. company outsources manufacturing to China or India. These are long-term, structural changes in the economy, influenced by forces such as globalization, demographics, and consumer preferences. They cannot be solved through monetary policy.

But Bernanke's solution is to monetize them. And using the output gap to predict inflation, as he did in that 2003 meeting, is particularly risky when it justifies easy monetary policy. Carnegie Mellon economics professor Allan Meltzer has noted that there are "lots of examples of countries with underutilized resources and high inflation. Brazil in the 1970s and 1980s." The problem is that employment and other output-gap components can remain intractably weak in the face of rising prices. For Bernanke, however, rising prices are subordinate to the output gap. This can

create a cycle in which commodity inflation saps money from the broader economy and causes deflation, which the Fed in turn fights with ever easier money. At the FOMC meeting on Dec. 9, 2003, Bernanke made his position clear:

The odds that we have begun a strong and sustainable expansion have risen significantly. ... [T]hose on the Street and elsewhere who lately have been worrying about inflation have tended to point primarily to raw materials prices, which have been rising, and to the dollar, which has been falling. ... [E]ven very large movements of raw materials prices—which are quite common by the way—appear to have muted effects on intermediate goods prices and, most important, no discernible effects at all on final goods inflation. ... [A]lthough output gaps are of course very hard to measure, the weight of the evidence continues to support those who believe that considerable slack remains in the economy.

Bernanke rode his obsession with the output gap and his disdain for raw materials up to \$145-a-barrel oil, while Americans stopped spending on anything that didn't come with an octane level—including mortgage payments and credit-card bills.

The transcripts from the most recent FOMC meetings won't be made public for five years. But it's easy to guess what they contain. After June 24, 2009, the committee justified keeping the fed funds rate between 0 and 0.25 percent with this press release:

The prices of energy and other commodities have risen of late. However, substantial resource slack is likely to dampen cost pressures, and the Committee expects that inflation will remain subdued for some time.

In the days before that FOMC meeting, oil traded in the \$70s, up from the \$30s earlier in 2009. The new surge in prices at the pump helped stir speculation about the potential for a double-dip recession. The output gap threatened to get wider.

As an important part of Bernanke's dovish monetary philosophy, the output gap issue is reflected in his voting record. For eight straight meetings of the FOMC, from June 2003 to May 2004, Bernanke voted with Greenspan to keep rates at 1 percent. While builders swarmed over Tampa and Las Vegas, and bidding wars started to break out in the suburbs of Boston and New York, Bernanke hit the lecture circuit in support of Greenspan's policies. In a high-profile paper he presented in early 2004 with senior Fed official Vincent Reinhart, Bernanke wrote, "There seems to be little reason for central banks to avoid bringing the policy rate close to zero if the economic situation warranted." When Greenspan championed a laissez-faire approach to Wall Street regulation, including on financial derivatives, Bernanke joined the charge. At the hearing in November 2005 to confirm him as Greenspan's successor, he had the following exchange with former senator Paul Sarbanes:

SARBANES: Warren Buffett has warned us that derivatives are time bombs, both for the parties that deal in them and the economic system. The *Financial Times* has said so far, there has been no explosion, but the risks of this fast growing market remain real. How do you respond to these concerns?

BERNANKE: I am more sanguine about derivatives than the position you have just suggested. I think, generally speaking, they are very

valuable. They provide methods by which risks can be shared, sliced, and diced, and given to those most willing to bear them. They add, I believe, to the flexibility of the financial system in many different ways. With respect to their safety, derivatives, for the most part, are traded among very sophisticated financial institutions and individuals who have considerable incentive to understand them and to use them properly. The Federal Reserve's responsibility is to make sure that the institutions it regulates have good systems and good procedures for ensuring that their derivatives portfolios are well managed and do not create excessive risk in their institutions.

After Bernanke offered a quick defense of the hedge-fund industry, Sarbanes said, "Well, I commend this area to you as one that should have some focus of your attention. Otherwise, it may well come back to haunt you."

A Fed chairman's job has two broad parts: performance and predictive ability. The former depends in large measure on the latter. The existence of "green shoots" is still open to debate. Bernanke's prescience is not. Consider his track record:

March 28, 2007: "The impact on the broader economy and financial markets of the problems in the subprime markets seems likely to be contained."

May 17, 2007: "We do not expect significant spillovers from the subprime market to the rest of the economy or to the financial system."

Feb. 28, 2008, on the potential for bank failures: "Among the largest banks, the capital ratios remain good and I don't expect any serious problems of that sort among the large,

internationally active banks that make up a very substantial part of our banking system.”

June 9, 2008: “The risk that the economy has entered a substantial downturn appears to have diminished over the past month or so.”

July 16, 2008: Fannie Mae and Freddie Mac are “adequately capitalized” and “in no danger of failing.”

If Obama reappoints him, Bernanke’s judgment will determine when and how the Fed reverses its massive monetary stimulus and starts to shrink its balance sheet. Oil, the dollar, and the U.S. consumer hang in the balance.

At Intrade, a website that lets the public wager on the likelihood of certain events occurring, the probability of Obama keeping Bernanke was 75 percent in early June. After the House committee’s grilling, it dropped to 57 percent. But the betting activity was more a reaction to the tough new tone in Congress than a referendum on Bernanke’s technocratic skills. He deserves recognition for overseeing the design and implementation of various liquidity and credit facilities that helped stabilize the financial markets. It was an immense task—albeit one made easier by a tall stack of blank checks on his desk.

But that accomplishment merely shows Bernanke’s proficiency at navigating the quotidian guts of the financial system. It says nothing about his judgment or competence in the broad strokes of policy. For years, Bernanke was Greenspan’s intellectual hatchet man, a deceptively even-keeled advocate of policies that even some ardent Fed defenders now admit contributed to one of history’s most spectacular and destructive boom and bust cycles. He has been involved with the Fed since the 1980s, when he was a visiting scholar at several Fed banks. The system of risk and regulation and oversight, the inter-

connected web that failed so epically, is one he has had a role in shaping for decades. What else has to happen for someone to be judged unfit to run monetary policy? Arguing that Bernanke deserves another four-year term based on a few months of relative calm is like

admiring how fast the fire department got to a five-alarm blaze after its chief failed to enforce building codes. ■

Wilson Burman is the pen name for the New York City investment professional who writes The Cunning Realist blog.

Endless Summers

He helped wreck Harvard and post-Communist Russia.
Now he wants to be Fed chair.

By Dennis Dale

O wretched countrymen! What fury reigns?
What more than madness has possess’d your brains?
Think you the Grecians from your coasts are gone?
And are Ulysses’ arts no better known?

—*The Aeneid*

“THE REAL GAMBLE is having the same old folks doing the same old things over and over and over again and somehow expecting a different result,” Barack Obama said in one of his stump-speech applause lines, appropriating a popular definition of insanity. Weary of war and alarmed by the political and professional classes’ unashamed economic hysteria, the nation joined his demand for wholesale change on Nov. 4.

Alas, for all the media flattery of President Obama and the historic moment he affords, the latest candidate of change has become another emblem of stasis. The elite troops of the Elite have not decamped, but are still emerging from their glittering post-racial tribute, taking up positions at the strategic points of the economy with military precision: despite

the subterfuge, more a changing of the guard than an assault. During the transition, Obama adviser Anita Dunn admonished those who dared notice the hypocrisy, suggesting the president’s prefab historiography rendered the Cabinet, if not the entire apparatus of government, superfluous: “People who say ‘Where’s the change?’ need only look at the president of the United States.”

That advice no doubt stands. The promised—or threatened, as the case may be—new order will not require new management, even if it demands drastic new methods. The Masters of the Universe are still few, seasoned, and only very gradually renewed. A remarkable proportion of them have passed through one or more of the progressively finer sieves that are the Ivy League, Harvard Business School, and Goldman Sachs’s executive washroom.

Rumors circulate that Larry Summers’s sentence in the purgatory of no portfolio is set to expire. If Ben Bernanke doesn’t retain the Fed chair’s gavel, the ubiquitous Mr. Summers could acquire a title more commensurate with his hard-earned influence.

By March of this year, Summers and

his protégé, Treasury Secretary Timothy Geithner, were seen as running the government's vastly expanded economic domain by themselves. Geithner wobbled early as Treasury chief, committing the dread sin of looking bad on television, but recovered. Later he told an audience of Chinese students that U.S. bonds, of which China is now the largest foreign holder, were as safe as houses used to be, producing rude laughter where before there was quiet deference.

The polite press mostly averted its gaze, still heeding the president's decree that Timothy was ready for primetime. The episode drew less attention than the confirmation hearing hiccup regarding his personal income taxes, and the fact that it happened abroad lessened attention at home. After all, who cares what the Chinese think?

Should Summers replace Bernanke, serving a president as callow as he is ambitious, his take on the economy before him might resemble Orson Wells's assessment of his film studio: "the biggest electric train set any boy ever had." Of course, this won't be Summers's first railroad.

Surveying America's hubris-to-nemesis cycle from humiliating a defeated Soviet Union to the Sovietization of much of our economy, Summers, representing the face and policies of a select and tenacious few, repeatedly appears in the grainy newsreel footage, blended into his surroundings Zelig-like, a confirmed Keynesian ("when circumstances change, I change my mind") claiming newfound humility among his many talents. Here he is now in real time, a whisper from the jug-ear of a new president desperate to keep alive (and only slightly less mystified than most by the increasingly labyrinthine workings of) the host body that is the productive economy.

After simultaneously holding down gigs as Harvard's youngest tenured professor and a member of Reagan's Coun-

cil of Economic Advisers, Summers was chief economist for the World Bank in 1991 when the Harvard Institute of International Development was employed to assist in the rapid privatization of the former Soviet economy. That effort was led by a trio of Harvard professors: Andrei Shleifer, the Summers protégé who directed the program; Summers's rival Jeffrey Sachs, who had helped reform Poland's economy; and David Lipton, who covered the former Soviet bloc for the Treasury before succeeding Summers as undersecretary of the Treasury for foreign affairs.

The institute went as far afield as Harvard Law School for Jonathan Hay, who eventually became the project's director in Moscow. Young Hay was the program's very own Dick Cheney, controlling information and access to Yeltsin's minister in charge of privatization, Anatoly Chubais.

History may eventually judge the Harvard Project more lightly, but for now Russians view the privatization period with slightly less resentment than Germans once held for the Treaty of Versailles. Chubais, sometimes described as Russia's most hated man, is considerably less popular there than Stalin. Deep resentment of the U.S. remains, while free markets and private property are still viewed with suspicion by elite and common folk alike. Ask not what privatization did to Russia, but what Russia did to privatization.

Harvard shut down the project in 1996 but wouldn't be done with it until August 2005, finally settling a lawsuit charging Shleifer and Hay with using insider information to defraud USAID. The university agreed to pay an estimated \$27.5 million of a \$31 million dollar fine.

Summers was then Harvard's president and controversial with faculty, first for offending and eventually "losing" African-American studies professor Cornel West to Princeton for suggesting,

among other things, that West spend more time in class than in the recording studio. I could not find a copy of the professor's freshman CD, "Sketches of My Culture," in time to assess it here. I'm as disappointed as you are.

Summers would again anger faculty by treating a group of women scientists more as scientists than as women, openly entertaining the thesis that relative ability might explain the modest history of female mathematicians. At least one scientist refuted this retrograde view of femininity by fleeing, she later explained, to spare herself nausea. The university would eventually atone by pledging at least \$50 million more in pursuit of the gender parity that was the subject of the meeting, a remarkable return on the investment of a few hours for the recipients.

Summers's tenure was less productive for Harvard's legendary endowment fund. An untimely round of interest-rate swaps, with a notional value of \$3.7 billion, was locked in last summer to finance an aggressive expansion program. *Forbes* would later dub this the "Summers Swap." Long on derivatives and private-equity partnerships, putting virtually all its cash and then some—through borrowing—to work, the endowment is now stubbornly illiquid as a result of its aggressive strategy, paying interest to hold investments it can only sell at steep losses. Harvard is expected to report a value of \$24 billion dollars this year, down from \$37 billion last year, when it seemed to be defying the bust. With an operating budget of around \$3.5 billion, a third of which was expected to come from the endowment, the university announced it would cut 275 workers.

The prospects of certain higher profile employees of the university continue to improve. ■

Dennis Dale's blog, Untethered, can be found at www.dennisdale.blogspot.com.

Droning On

Remote-controlled mayhem does not win wars.

By William S. Lind

WHEN *TAC* ASKED ME for a piece on military drones, I had to consider which variety of drone was most important: the drone aircraft, the drones who operate the aircraft, or the drones back in the Pentagon who think drive-by shootings can win wars.

Drone aircraft are simply model airplanes. It would be easy enough to construct one from parts picked up at a toy store. Kitbash a small video camera that can broadcast an image—some model trains now have one in the engine cab—onto a remote-controlled model aircraft big enough to carry it, and you have a useful military drone. (Paintballers take note.) In fact, you have the most useful type of military drone, a reconnaissance drone. For millennia, commanders have wanted nothing quite so much as an ability to see over the next hill. A simple drone can do that nicely.

In the Pentagon, “simple” is a bad word because it implies cheap. The Pentagon is not a military headquarters; it is a bank. Its main mission is to add to the money flow. Simple systems do that poorly. Therefore, American military drones have grown rapidly in complexity and cost, far beyond what a company or battalion commander needs to see over the next hill. The Predator is perhaps the most famous of a growing family of drone aircraft. Not only does it take pictures, it also carries air-to-ground missiles it can shoot with great precision out of the night sky at gatherings of Taliban fighters, compounds serving as IED factories, and Afghan wedding parties.

What’s wrong with that? Yes, we have to say “sorry” when a Predator turns a wedding into multiple funerals. But who would not want to be able to strike enemy targets swiftly and silently with no risk to an American pilot? Is this not military technology at its best?

To answer these questions, we must grasp a basic fact about war that the American military cannot understand, namely that there is more to it than putting firepower on targets. American military doctrine—with the exception of the Marine Corps—is Second Generation doctrine, sometimes called fire-power/attrition warfare. Derived from French Army doctrine of the interwar years, it reduces war to putting fire on targets in a contest of mutual attrition: think Verdun. The French summarized it as “the firepower conquers, the infantry occupies.” Seen from the perspective of that doctrine, Predators firing missiles are entirely a plus. Other than those pesky wedding parties, they have no negatives. Remember, high cost is another benefit.

The problem, as the French discovered in 1940 when they faced a Third Generation German army with a doctrine of maneuver warfare, is that Second Generation doctrine is deeply flawed. War is the most complex of all human endeavors. It can seldom be reduced to a mere contest in mutual attrition. Col. John Boyd, USAF, America’s greatest military theorist, observed:

When I was a young officer, I was told that if you have land superior-

ity, air superiority, and sea superiority, you win. Well, in Vietnam, we had land, air, and sea superiority, and we lost. So there is obviously something more to it.

Boyd went on to explore and explain what that “more” is. He posited that war is fought on three levels: physical, mental, and moral. The physical level, where Second Generation focuses, is the weakest. The moral level, on which guerrilla war centers, is the most powerful. And the mental level, the basis of maneuver warfare, lies somewhere in between.

The primacy of the moral level carries over from classical guerrilla warfare into Fourth Generation war, the type of war we are fighting in Iraq, Afghanistan, and, thanks to those wonderful Predators, in Pakistan. The defining characteristic of Fourth Generation is that it is multi-sided and many of the parties are not states. Some nonstate entities may fight for political goals, but many do not. Instead, their goals may range from martyrdom to loot to impressing the local girls. In the Fourth Generation, war moves beyond Clausewitz’s politics carried on by other means. For many of the entities waging such wars, the moral level replaces the political. It is power on the moral level that brings recruits, money, good press, and, perhaps, victory.

In Fourth Generation wars, one of the most important factors on the moral level is what Israeli military historian Martin van Creveld calls the

power of weakness. A state, especially a major power such as the United States, is incomparably stronger physically than its Fourth Generation enemies. The U.S. military has the fanciest weapons in the world, including the Predator. The Taliban, al-Qaeda, and the like are armed mostly with light weapons of World War II design. Our troops have the latest body armor, excellent medical care if they are wounded, and base camps with all the comforts of home. Our opponents fight in bathrobes and flipflops, usually die or are captured if wounded, and live the life of scavengers.

To themselves and onlookers, they are David and the U.S. is Goliath. In the 3,000 or so years that the biblical story has been told, how many listeners have identified with the giant?

Here we begin to see why Osama should have on his cave wall a picture

Seen from John Boyd's physical/mental/moral vantage point, the Predator is a stunning success physically. It may terrify our enemies mentally. But on the moral level, it is a boomerang. Those on the receiving end say, "I'm going to get back at the murdering cowards no matter what it costs." Their families, friends, fellow tribesmen, and co-religionists around the world have the same reaction. The Predator calls forth its low-tech, Fourth Generation counterpart and nemesis, the suicide bomber.

Here we see the broader failing in the American military, an error that had its origin in the idea that war is a fire-power-based attrition contest, but has since taken on a life of its own. That is the assumption, usually unstated but now so widespread that it underlies everything the Pentagon does, that wars' outcomes are determined by

was designed to detect human odors. The VC countered it by hanging buckets of urine in trees.

The Taliban's most successful counter to the Predator is of similar simplicity. They make sure that when they gather and thus provide a good target, they have plenty of women and children around. In effect, they say, "Go ahead, make my day."

Because complex weapons are expensive, they are usually in service for a long time, sometimes decades. Soon after their introduction, most if not all of their operating characteristics are known, especially in the age of the Internet. Our opponents can invent and deploy generations of simple countermeasures during the lifetime of one high-tech system. They are "outcycling us," in Boydian terms: they can go through many cycles of observing, orienting, deciding, and acting against our systems while the systems go through only a single cycle. Boyd argued that there are few more certain prescriptions for defeat.

In contrast, simple systems, such as those our Fourth Generation opponents rely on, can go through many Boyd cycles in a comparatively short time. We see this face on display in Iraq and Afghanistan with the deadly weapon we face, the Improvised Explosive Device. Our opponents continually and rapidly invent and deploy new generations of IED, with new warhead designs, triggering mechanisms, and camouflage techniques. The U.S. has a multibillion-dollar top-priority program to counter them, most of it focused on high-tech solutions. (Again, think budget justification.) It has had small successes, but if you ask many of our troops what their mission is, they reply, "Driving around and waiting to get blown up."

The disadvantageous time factor—no factor is more critical in war;

WITH THE PREDATOR AND WITH AIRSTRIKES GENERALLY, AMERICANS FIGHT FROM A SAFE DISTANCE. LIKE THE TROJAN HERO PARIS, WHO WAS AN ARCHER, WE APPEAR TO BE COWARDS.

of the Predator with the line under it, "Our best weapon." Maybe he does. Perhaps no other weapon so well represents the conflict between al-Qaeda's David and the American Goliath. The Predator strikes in the night with no warning. Its missiles can instantly pulverize an entire mud-brick compound. There is no defense against it other than hiding. If by a miracle our opponents shoot one down, they do us no injury. The drone operator sits in air-conditioned comfort in Tampa or some similar garden spot. With the Predator and with airstrikes generally, Americans fight from a safe distance. Like the Trojan hero Paris, who was an archer, we appear to be cowards.

technology. The fact that complex technology is a great justifier of higher budgets may not be irrelevant to this notion's popularity.

Van Creveld's book *Technology and War*, a historical survey, concludes that very few wars have been decided by technology. Boyd sums up the reason: "Weapons don't fight wars, people do, and they use their minds."

One consequence of this fact is that most high-tech weapons systems have simple, low-tech counters. A classic example comes from the "McNamara Line" in the Vietnam War, a collection of high-tech sensors in the jungles that was supposed to pick up any Viet Cong movements. One sophisticated sensor

Napoleon said, "I may lose a battle, but I will never lose a minute"—is compounded in hi-tech systems by the fact that their designers are engineers, few of whom have any understanding of war. War and engineering are not merely different, they are opposite in nature. A river cannot think how to counter an engineer who is building a bridge across it. War, in contrast, is continually shaped in unexpected ways by what soldiers call "the independent, hostile will of the enemy." That means the other guy keeps doing things you never imagined. Complex weapons systems cannot deal with situations not envisioned by their designers. A striking example of their problem surfaced shortly after a U.S. Aegis cruiser shot down an Iranian passenger aircraft over the Persian Gulf. Aegis, a ship-board anti-aircraft and anti-missile system, is one of the most expensive weapons systems in the American military inventory. We have spent, and continue to spend, tens of billions of dollars for ships that carry Aegis as their main armament. A designer of the Aegis system wrote to the *Naval Institute Proceedings* to exculpate his creation, saying, "Of course, it was never designed to deal with ambiguity." The independent, hostile will of the enemy means that ambiguity is a constant companion in war.

Ambiguity, deception, surprise, camouflage, and ambush have characterized war since its prehistoric beginnings and always will. Complex, high-technology

weapons systems have trouble with all of them. They work best in clean, simple environments, like the carefully contrived "tests" the Pentagon uses to convince Congress to keep the money flowing.

Air and sea warfare are comparatively clean and simple, and high technology plays an important role there. The land warfare environment, in contrast, is vastly "dirtier." Nowhere is it more so than in Fourth Generation wars, where the line between military and civilian is blurred to the vanishing point. In that endlessly complex setting, high-technology systems often

The Pentagon's financially self-serving belief that technology wins wars has come to grief in the sands of Iraq and the mountains of Afghanistan, just as it did in Vietnam. In the early days of that war, Secretary of Defense Robert McNamara was interviewed by the French journalist Régis Debray, who asked him what the French experience in Vietnam meant for the Americans. McNamara replied that what had happened to the French could never happen to the Americans. It was not a matter of bravery, he said, but of technology.

AMBIGUITY, DECEPTION, SURPRISE, CAMOUFLAGE, AND AMBUSH HAVE CHARACTERIZED WAR SINCE ITS BEGINNINGS. COMPLEX, HIGH TECHNOLOGY WEAPONS SYSTEMS HAVE TROUBLE WITH ALL OF THEM.

trip over their own numerous feet even before the enemy has had a go at them. Just ask one of our company or battalion commanders what he thinks of our wonderful, computerized command and control system. One told me that it required him to submit more than 100 reports per day. Several years ago, I was in a meeting in which a retired general extolled the contribution his part of that system had made to "victory" in Iraq. The commander of the famous "Thunder Run" into downtown Baghdad said the first thing he did was turn it off.

In contrast, John Boyd argued that for winning wars, people are most important, ideas come second, and hardware comes third. The Pentagon stints our people to feed its hardware programs, while the pursuit of technological solutions to every problem stifles creative thinking about tactics and doctrine. The American military promotion system washes out the combat leaders, who tend to have rough edges, in favor of bureaucrats and managers who can run big weapons programs and testify smoothly before Congress. In pursuit of the foxfire of victory through technology, America has forgotten the basics of war.

While the Predator and other drones in the air are killing Taliban, the drones in the Pentagon are killing us. ■

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Is the Pope Capitalist?

HILAIRE BELLOC said, “Europe is the Faith and the Faith is Europe.” As far as Catholics such as George Weigel and his neocon pals are concerned, however, that is so Old Europe. To them it makes much more sense to say, “America is the Faith and the Faith is America.”

From the Faith of America comes the Weigelian Church, which preaches liberal capitalism, pre-emptive war, the Little Way of Sarah Palin, global democratic revolution, and faith and works. Walker Percy saw this Church coming in *Love in the Ruins*. He called it the American Catholic Church. One of its major feast days was Property Rights Sunday, during which the ACC would display a blue banner showing Christ holding the American home (with white picket fence) in His hands.

The ACC would probably not have liked the pope’s new social encyclical, *Caritas in Veritate*—Love in Truth—any more than Weigel does. *Caritas* runs to 30,000 words and is a summary of Catholic teaching on such matters as economics, trade, and employment. It is, in other words—at least as far as the media is concerned—a politically charged document. And since Weigel is one of America’s most politically charged Catholic thinkers—known, especially, for his strong support of George W. Bush—his views on the encyclical had been eagerly awaited.

In some quarters, George Weigel is seen as a guardian of orthodoxy, a hammer of the dissenting liberals who question papal teaching on such matters as contraception, abortion, and marriage—the “cafeteria Catholics” who pick what they like from the Catholic menu and turn their noses up at the rest.

Now suddenly, in his reaction to *Caritas* at National Review Online, Weigel

has himself become a dissenting Catholic. He was not pleased that, for example, the encyclical says more about wealth redistribution than wealth creation and spoke of its “clotted and muddled” language and “confused sentimentality.” *Caritas* was disjointed, he declared, the work of so many hands that “the net result is, with respect, an encyclical that resembles a duck-billed platypus.”

With respect? Quack, quack. What irked Weigel especially, I suspect, is that *Caritas in Veritate* lavishes great praise on the Pope Paul VI’s 1967 social encyclical *Populorum Progressio*, which was denounced as “souped-up Marxism” by the *Wall Street Journal*. For some right-wing Catholics that verdict became *de fide*, along with *National Review*’s gag—“Mater, Si, Magistra, No”—on the publication of John XXIII’s equally progressive social encyclical *Mater et Magistra* in 1961.

But conservatives in the 1960s should really not have troubled their shaggy little heads with the Church’s apparent “lurch to the left.” The fact is that capitalist ideology—as it has emerged in modern times—has never been embraced by the Church, and it should come as no surprise that it is not now being embraced by Benedict. The historian Eamon Duffy summed up Catholic social teaching nicely when he wrote of Pope Pius XI (no lefty he), “he loathed the greed of capitalist society, ‘the unquenchable thirst for temporal possessions,’ and thought that liberal capitalism shared with communism ‘satanic optimism’ about human progress.”

It is possible that the great foe of communism Whitaker Chambers would have agreed with Pius. On Christmas

Eve 1958, in a letter to his friend William F. Buckley Jr., he wrote, “capitalism is not, and by its essential nature cannot conceivably be, conservative. This is particularly true of capitalism in the United States, which knew no Middle Ages; which was born, in so far as it was ideological, in the Enlightenment.”

“Conservatism,” he added, “is alien to the very nature of capitalism whose love of life and growth is perpetual change ... conservatism and capitalism are mutually exclusive manifestations, and antipathetic at root.”

One of the things to remember about the Catholic Church, perhaps, is that it is Christian and therefore not inclined to look with great favor on Mammon. It seeks a way of pursuing the good life, even the prosperous life, that does not involve denial of God or—a key point in Benedict’s encyclical—the abandonment of life at any stage of its development. Not easy, of course, but, though Weigel contemptuously dismisses the idea, there is a Catholic third way between capitalism and socialism, not the one seen by Benedict’s co-religionist Tony Blair—that took us into Iraq and fed us to marketing men, with their spread sheets, Polish nannies, and suits without ties—but by such people as G.K. Chesterton, the Southern Agrarians, and Konrad Adenauer, whose political principles were based on Catholic social teaching and who led West Germany into her *Wirtschaftswunder* (economic miracle).

Maybe this third way will never play in Peoria or in Stratford-upon-Avon. Still, it pleases me that *Caritas in Veritate* will have answered at least one important question: Is the pope capitalist? He is not. Neither is he socialist, of course, far less a liberal. What is he, then? The pope is Catholic. ■

Party of One

The unorthodox libertarianism of Nat Hentoff

By Jordan Michael Smith

"OUT OF STEP," the working title of a new documentary about Nat Hentoff's life, strikes the 84-year-old journalist as a good characterization of his idiosyncratic political views. Of course, Hentoff is not the only writer to consider himself alienated. Many contemporary intellectuals have felt lost, no matter how recognized they are. Edward Said's autobiography was called *Out of Place*. Richard Pipes's was subtitled *Memoir of a Non-Belonger*. Jonathan Safran Foer's essay collection: *How to Be Alone*.

For most thinkers, however, isolation is a matter of perception. They feel out of step but have legions of disciples. Not Nat Hentoff. He is part of no movement, an adherent to no ideology. He may be the only Jewish atheist pro-life libertarian hawk in America. And in a partisan, power-infatuated media age, the brand of independent journalism he's been practicing since the 1940s is disappearing.

Hentoff's contrarian sensibility descends from the Depression-era Boston in which he grew up. In his first autobiography, *Boston Boy*, he tells of eating a salami sandwich just to spite his Orthodox neighbors. On another occasion, the precocious Hentoff organized a union among the boys at the local candy store. These rabble-rousing instincts are still detectable in his writing, which is marked, above all, by a defense of the individual's refusal to be silenced. Nat Hentoff just will not shut up.

His passion for free speech dates back nearly 70 years. He was the editor-in-chief of his college paper, the defunct *Northeastern News*. "It was the only

school I could get into," he says of Northeastern University, which awarded Hentoff an honorary doctorate of laws in 1985. Considering the controversy he caused as a student, the school's decision to honor him was something of an admission of defeat.

The young Hentoff, instead of reporting on the state of cafeteria food or the condition of the libraries, launched an investigation into anti-Semitic elements of the city council, which provided substantial funding to Northeastern. He was summarily fired by the university's president. "I began to get interested in the First Amendment, and how people's lives and jobs were jeopardized when they expressed their ideas," he says.

In 1958, Hentoff was hired by New York's *Village Voice* and remained there until December 2008, when he was laid off. In his half-century at the underground paper he became an institution—a *New York Times* article announcing his departure was headlined, "Village Voice Lays Off Nat Hentoff and 2 Others."

He was equally influential in his 15-year *Washington Post* column, "Sweet Land of Liberty," which ceased in 2000, and in his weekly United Media column, which still reaches 250 newspapers. He's probably the only man to have written for both the *Washington Times* and *The Progressive*.

He further has had an esteemed music-journalism career: associate editor at *Down Beat Magazine*, co-founder of the defunct *Jazz Review*, contributor to *JazzTimes*. He wrote

liner notes for albums by Billie Holiday, Aretha Franklin, and Bob Dylan, and in 2004 was named a Jazz Master by the National Endowment for the Arts—the first non-musician to win that honor.

But Hentoff will primarily be remembered for his unceasing defense of civil liberties. The nation's foremost polemical authority on the First Amendment, he has won the American Bar Association's Silver Gavel Award and the National Press Foundation's lifetime award for distinguished contributions to journalism. The *Times* article eulogizing Hentoff's *Village Voice* career noted, "Few have more assiduously and consistently defended the right of people to express their views, no matter how objectionable." The Cato Institute felt the same way and hired him as a senior fellow.

Hentoff's position on free speech is unique in its absolutism. "It is unconditional and equally applied," says Glenn Greenwald, a constitutional law and civil-rights litigator who writes for *Salon*. Most Americans, if they come through the U.S. educational system, have a basic intellectual understanding of the importance of free speech, Greenwald says, "But people have a natural instinct to believe the First Amendment should be curbed when there is something said they are offended by." Greenwald, who has written extensively about the pusillanimity of the Washington press corps, says this censorship urge is no less powerful among journalists than the rest of the population. He calls Hentoff "notably courageous."

Though he is now connected with the libertarian Cato Institute, Hentoff was long associated with the New Left, largely because of his focus on personal liberties. He co-authored a book on state secrets in 1974 and co-filed a suit in Federal District Court that sought to void an agreement to give President Nixon ownership of White House tapes and documents. He was friends with counterculture comedians George Carlin, Richard Pryor, and Lenny Bruce, whom he calls "considerably knowledgeable about the First Amendment." He also kept company with Eldridge Cleaver and Malcolm X. He describes the latter as "very thoughtful" and insists that he was moving toward a mainstream integrationist position at the time of his assassination. But Hentoff was no Tom Hayden radical. True, he believes in a strong social safety net, but his love of basic American liberties gave him an instinctive distrust of excessive state power, much less sympathy for North Vietnam or Cuba. While friendly with black radicals, he was never like-minded. "I thought the civil-rights movement's descent into violence was incredibly stupid. It was criminal," he says.

Hentoff's commitment to freedom has taken him places unfamiliar to a leftist. In the 1980s, he resigned from the ACLU over its support of assisted suicide. He rejoined after 9/11, saying the organization's commitment to the Constitution outweighed its deficiencies on other issues. That doesn't mean he's muted his criticisms, however. His broadsides have a tone of betrayal, as if he's been wounded by a family member. In May, he wrote, "What also appalls me ... is that for years, and now, the American Civil Liberties Union approves 'hate crimes' prosecutions! ... I have long depended on the ACLU's staff of constitutional warriors to act persistently against government abuses of our founding document. Is there no non-

politically correct ACLU lawyer or other staff worker or anyone in the ACLU affiliates around the country or any dues-paying member outraged enough to demand of the ACLU's ruling circle to at last disavow this corruption of the Constitution?"

Perhaps the foremost test of Hentoff's commitment to the First Amendment arrived on 9/11. As fear enveloped the country, he was one of the few mainstream voices to forecast an impending narrowing of freedom. In his first column after the attacks, written from New York, he warned, "Unless a band of true constitutionalists can beat back a fear-driven, popular war on free speech, free press, privacy, and due process, under the banner of national security, much of America will ignore the warning of Supreme Court Justice Anthony Kennedy: 'The Constitution needs renewal and understanding each generation, or it's not going to last.'" Hentoff was equally worried about minority rights, extending a concern he has demonstrated since he befriended

Bill of Rights so frequently that there has been little time to organize a national campaign to restore the Constitution."

But whatever charges he leveled at President Bush, Hentoff is no partisan. "President Obama is a complete phony," he says. "I still think Bush was a decent person. He didn't know much about anything, he certainly didn't understand what was going on around him, but he was not a bad person. Obama is not a decent person. He only cares about the power of Barack Obama." Hentoff keeps a file on the president's flip-flops and says it is getting thicker every day: "He's reneged on nearly every pledge, from the invocation of state secrets to renditions."

Unlike most other constitutionalists, however, Hentoff is strongly interventionist. He has been clamoring for war against Sudan for years, melodramatically calling Sudanese President Omar Al-Bashir "Africa's Hitler." He wrote in September 2001 that the U.S. should "effectively wage war against this cradle of terrorism." He says, "The UN is totally

WHATEVER CHARGES HE LEVELED AT PRESIDENT BUSH, HENTOFF IS NO PARTISAN. **"PRESIDENT OBAMA IS A COMPLETE PHONY,"** HE SAYS.

African-American jazz giants as a child: "Already, Arab Americans among us are being demonized and reviled—not by the government but by fellow citizens on the streets of New York. Their liberty has become fragile."

Week after week, while most columnists focused their energies on deciding which country the U.S. should next invade, Hentoff played his lone note. A December 2001 article was titled "Terrorizing the Bill of Rights." While President Bush boasted an approval rating over 90 percent, Hentoff called him "dangerously ignorant of the Constitution," writing, "This administration violates the

useless, so what alternative is there? If a coalition of the willing doesn't go in, then nothing happens. We have at least to establish a no-fly zone. We can't just keep saying 'never again,' we have to do something." Furthermore, he supported the war in Iraq for humanitarian reasons. He evinces no regret for that position, even though hundreds of thousands of Iraqis have died. He has a visceral opposition to tyranny in all its forms, in the U.S. and in the world at large, and believes it must be resisted wherever it exists.

Hentoff doesn't overlook the connections between war and infringements

DEEP BACKGROUND

In the fighting in AfPak, it's important to know who your friends are. It's also important to know whether and why they might be angry with you. Pakistan's Inter Services Intelligence is one of the world's most ruthless intelligence agencies and comes second to none in sheer duplicity. The ISI contains pro- and anti-Taliban elements, as well as factions favorable and hostile to the government they ostensibly serve. Concealed within the ranks are numerous Islamists, some of whom merrily plot terrorist attacks against neighboring India and Afghanistan. They work with the United States when they feel inspired to do so.

The U.S. has often been reluctant to provide tactical intelligence to Pakistan because the shared information frequently winds up in the hands of the Taliban or even al-Qaeda. Many believe rogue ISI elements actually protect al-Qaeda forces in Waziristan. ISI is also a business, cooperating with the Americans just enough to keep the money flowing, while nurturing narco-trafficking arrangements to move drugs out of Afghanistan and into Russia.

The May 2002 suicide-bomber attack on a bus in Karachi in southern Pakistan, which killed 11 French naval engineers, was originally attributed to al-Qaeda-linked jihadist radicals, but investigating magistrates in France slowly working their way through the evidence have come up with a different story. French intelligence now believes that the attacks might have been organized by members of Pakistan's intelligence services as payback for Paris cutting off millions of dollars in kickback payments that had been part of a 1994 submarine purchase. French counterterrorism specialists have decided that there is no actual evidence linking any known jihadis to the bombings and note that no group has ever claimed credit, highly unusual in a successful terrorist attack.

On June 19, lawyers who represent families of the bombing victims received a briefing from the investigating magistrates suggesting that Pakistani officials were behind the attack. The judges and investigators noted that in 1994 Paris had closed a \$1 billion 10-year deal to sell and assemble Agosta submarines in Pakistan that included \$33 million in kickbacks paid in installments to Pakistani officials who had played a key role in approving the contract. There was subsequently a change of government in France. The advisers of newly elected president Jacques Chirac then decided the kickback was illegal and refused to continue with that part of the arrangement. This enraged some of Pakistan's senior military officers and leading figures in its intelligence service. Having looked at all the evidence, French authorities now believe that key members of Pakistan's military-intelligence-political elite decided to get even for what they regarded as a breach of contract by attacking and killing the French submarine engineers working on the project in Karachi. Investigators believe that the attack was carried out by militants from one of the Sunni terrorist groups active in Kashmir and controlled by the ISI.

Philip Giraldi, a former CIA Officer, is a fellow with the American Conservative Defense Alliance.

on liberty. He has written eloquently about the Constitution's sanctity in times of war, and the United States' own history of overriding basic rights in times of great stress. Yet he still seems to think a state of permanent war can coexist with freedom. "War does curtail freedom—unless people are aware of what is going on. If there is a clear realization about the basic idea of America amongst people, war does not have to lead to people relinquishing their rights," he protests.

Hentoff's belief in Americans' ability to resist the temptations of empire derives from a faith in the power of education. But he is dismayed at the ignorance about the Constitution among the American populace. "What makes America different than the rest of the world is the U.S. Constitution. It seems to me that most Americans don't really know why they're American, or what that means," he says. His 1983 work of fiction, *The Day They Came to Arrest the Book*, tells the story of a high-school newspaper editor who rebels against school authorities banning *The Adventures of Huckleberry Finn*. It is not difficult to imagine who acted as the real-life inspiration for the brave young editor. "The republic is in danger of being lost if it is not understood. People need to know about their freedoms," he says.

Fifty-odd years is a long time to be infatuated with one idea. Hentoff is rare among American writers for his consistency, but there is one less defining issue on which he has noticeably switched sides. "The only thing I really regret is that I didn't become pro-life sooner," he says. "It took me a while to realize that sanctioning abortion meant killing actual human beings." Hentoff has long championed the rights of the disabled and sees his crusade against abortion as a logical extension of those concerns.

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Squaring Dupont Circle

HEAVEN IS NOT a farm.

If you spend too much time on the American Right—in either its demotic or romantic-intellectual forms—you might forget this essential truth. You'll be subjected to paeans to rural community; cities are so soulless! They're cold, artificial, out of touch with beauty (which explains why cities produce so little great art). City folk exemplify capitalist modernity at its most unnatural.

Well, I'm human, not natural. I like strangers, mostly because I am one. I'm also a resident of one of America's least-loved cities: her nation's capital. And my current address is an even harder sell for the conservative mind: the former gay ghetto, Dupont Circle. Here is a neighborhood where nobody's your neighbor. Yet everybody is.

Dupont in the summer favors one sense only—sight. On Saturday around the fountain, women in bright dresses saunter past men in sherbet-colored suits, giving one another the eye.

The other four senses aren't so lucky. You can usually placate taste with a Jack Daniel's chocolate ice cream sundae from Larry's. Touch is worse, since all you feel is your clothes sticking to your body. Smell, which in a District summer always seems to be shifting from honey-suckle to unhailed garbage, settles down to a one-note hum of sweat. And there are buskers, hiking out their guitars for the treacle of the counterculture: Dylan, Neil Young.

In the summer, God remembers the District and clamps down his palm on it. The city gets slow and flirtatious. We swelter under a low-slung skyline, teasing strangers.

The man next to me calls out to a group of women, "What country y'all from?" The

darkest and most statuesque slowly turns her head toward him and, with a hometown voice laden with irony and resignation, replies, "*This* one." They laugh and shake their heads at one another and he settles back, foxed for the moment.

I'm told that country life teaches you patience and charity, since you can't get away from your neighbors or your past. Every day you pass the familiar scenes of your little victories and large heartbreaks.

The city teaches you patience and charity in a different way: You learn to negotiate among strangers. Every region has a different way of managing it—pop culture tells me that Midwesterners smile relentlessly, Southerners drink and fight, and Californians drive. D.C. flirts. If you don't interpret strangers' actions with charity and good humor, you'll go crazy here.

The scene is full of small public camaraderies. A man with a stuffed crocodile on his shoulder encourages his little boy to play with a couple's trained parrots. Two men share a bottle of rum. Their casual illegality is also very D.C.; it's part of the fatalism bred by our civic helplessness. The bar I sometimes frequented before I turned 21 had a sign above the door, *ABOVE THE LAW SINCE 1996*. Until then it had been an after-hours speakeasy, which it still was, but the slogan was too good to resist. This is Marion Barry's city. When the *Washington Post* ran a contest seeking pickup lines that could only be used in the District, the winner was, "Your beauty renders me as powerless as Del. Eleanor Holmes Norton."

Dupont today, like the gay community generally, has gone aggressively bobo

(David Brooks's abbreviation for "bourgeois bohemian," those who want the perks of living outside the rules as well as the perks of following them). Happiness beat ecstasy, order beat alienation, respectability beat solidarity. I chafe at the new bobo order, but I have to pay respect even to respectability when it is this hard-won. As you ascend the long escalator up from the Dupont Circle subway station you can read lines from Walt Whitman's "The Wound-Dresser" carved in stone:

*I sit by the restless all the dark
night — some are so young;
Some suffer so much — I recall
the experience sweet and sad ...*

Even bobos can offer an exhausted beauty in the wake of the plague years.

In the gay community you meet a lot of the deracinated cosmopolites who populate conservative caricatures of the city (a role once played primarily by Jews). You meet the people who left home, family, and tradition behind. And you learn why: who left whom, the gay son or the mother who won't speak to him?

But the stronger defense of the deracinated cosmopolite is that he is Everyman. The city is the human condition with the volume on high. The past is always lost, even if you stay right where you left it. The longing for home is never fully satisfied. The most familiar neighbor—and even your own beloved—always remains a stranger with whom you must negotiate.

"What country y'all from?" Eventually you learn that you don't know the answer. ■

Eve Tushnet is a freelancer writer in Washington, D.C.

Breaking the Bank

Can the GOP follow Andrew Jackson back to power?

By Sean Scallon

RON PAUL'S Rally for the Republic in Minneapolis last September had an echo of 1832. The Twin Cities' Target Center thundered to chants of "End the Fed!" much as a gathering of Andrew Jackson's "Hurra boys" had roared, "Down with the bank!" and "No rag money!" President Jackson's implacable opposition to the second Bank of the United States carried him to re-election and branded his party, the newly organized Democrats, as champion of the middle classes. Today, as discontent with the Federal Reserve mounts—a majority of Congressman Paul's House colleagues has cosponsored his bill to audit the Fed—can the Republican Party find a path back to power in Jackson's anti-bank strategy?

The Federal Reserve System is essentially the third Bank of the United States. It was created in 1913 as a compromise between wealthy proponents of central banking, progressives and populists who wanted to take control of the money supply away from Wall Street and put it in the hands of the federal government, and conservative Democrats who wanted a reserve system to provide liquidity in case of another national emergency like the Panic of 1907, in which J.P. Morgan had to marshal private capital to rescue the stock market. All of these groups got something out of the public-private hybrid that was the Federal Reserve. Thus the central bank began with little controversy.

The good feelings did not last long. Congressman Charles Lindbergh Sr., the so-called "Gopher Bolshevik," soon

denounced the Fed as part of the same "Money Trust" that had long run the country. "Our financial system has been turned over to the Federal Reserve Board. Board members finance the system by the authority of a purely profit-taking group. The system is private, codified for the sole purpose of obtaining the greatest possible profits from the sum of other people's money," he warned. Attacks on the Fed have since come from the Right as well, with free-market economists such as Milton Friedman and Murray Rothbard blasting the central bank for constricting the money supply in the 1930s (which led to the Great Depression) and the expansionist credit and currency policies of the 1960s and '70s (which led to the Great Inflation).

The secrecy and concentrated financial power of central banking has always aroused populist suspicions. The chartering of the first Bank of the United States (BUS) in 1791 quickly gave rise to opposition, which saw Alexander Hamilton's brainchild as undemocratic, monopolistic, a tool of foreign stockholders, and a betrayal of the Revolution, since colonists had rebelled as much against the economic policies of the Bank of England as against the Crown itself. Once Thomas Jefferson's popular Republican Party rose to power, the bank's doom was assured. President Madison allowed its charter to lapse in 1811.

But after the War of 1812, Madison changed his mind. He supported chartering a second Bank of the United States to stabilize the war-wracked nation's finances and curb the influence

of local paper-issuing banks. Demand for credit in the young Republic soared after Kentucky became a state in 1792 and Tennessee joined the Union in 1796, as settlers poured into these states and pressed further south and southwest. These frontiersmen were Andrew Jackson's people—Scots-Irish from Pennsylvania, Virginia, and the Carolinas. Between 1817 and 1818, the Kentucky state legislature, in what social historian William Graham Sumner called "bank mania," chartered 40 small banks to lend settlers money. The Bank of the United States, far from quelling this credit expansion, got in on the act by opening branches in Louisville and Lexington. The result was a classic speculative bubble that finally burst in the Panic of 1819, sending the Mississippi and Ohio valley regions into a collapse that took five years to liquidate.

Local banks, including Kentucky's state-run Bank of the Commonwealth, deserved most of the blame. But the BUS had done its part to feed the speculative frenzy, and further resentment of the bank was stoked by the Supreme Court's *McCullough v. Maryland* decision, which ruled that states could not tax the BUS but the BUS could tax local banks to the tune of \$60,000 each. The Bank of the United States received over \$600,000 from former shareholders in Commonwealth Bank, while many settlers lost their land. Weren't these frontiersmen, whose Kentucky Rifles had won the Battle of New Orleans, only doing what the federal government wanted by populating this area from the

eastern mountains to the Mississippi River and beyond?

Jackson had hated what he called “ragg, tag banks” since he was a young shopkeeper and land speculator in Tennessee. Favoring hard currency, he believed banks issued “wretched rag money” and the credit they lent only encouraged indebtedness. But Jackson had no particular problem with the Bank of the United States until one was thrust on him in 1832. He was drawn into the bank wars by advisers from Kentucky and Tennessee, who bore grudges for what had happened in 1819, and by bank supporters like Sen. Henry Clay, who thought that making early renewal of the bank’s charter an issue in the upcoming presidential election would split Jackson’s Democrats and secure for Clay’s National Republicans the electoral votes of Pennsylvania, where the bank was based and remained very popular. The bank was also an important part of Clay’s financial program, his “American System” of government-sponsored domestic projects such as roads and canals.

BUS President Nicholas Biddle was a young reformer when he took the job in 1823 and did his utmost to keep politics out of the bank’s deliberations. But it was an impossible task, especially on the local level where politicians either clashed with branch officials or became recipients of their patronage. Every time Biddle tried to assert the bank’s independence, in often arrogant and sulfurous language, he played into his enemies’ hands. In trying to keep politics away from the BUS, he argued that it should be an elite institution in an age that celebrated popular democracy.

Biddle no more wanted to make the bank an issue than Jackson did. But Clay insisted, and thus the BUS applied for a charter renewal in 1832. Congress approved it, but Jackson applied the veto. The BUS resorted to politics in an

attempt to save itself, but Biddle’s hard-ball tactics only confirmed the image the Democrats projected of the BUS as an aristocratic moneyed institution looking to crush Jackson, the common man’s avatar. The BUS spent over \$100,000 to defeat Jackson. It subsidized anti-Jackson newspapers, pamphlets, journals, and speeches; it gave loans to pro-Bank politicians and encouraged employers to threaten workers with losing their jobs if Jackson won. It was all for naught. The veto thrilled the voting public and drew Democrats together in resistance to the bank.

The BUS may have been popular in Pennsylvania, but so was Jackson. The rural Scots-Irish of the state gave their loyalties to one of their own blood rather than a moneyed institution. The veto message, Sen. James Webb writes in *Born Fighting*, “could have well emanated from a meeting of the Scottish Kirk two hundred years before.” It also cemented the loyalties of those “humble members of society—the farmers, mechanics, and laborers—who neither have the time nor the means of securing favors” to the Democratic Party for the next 175 years.

Populism of a different kind built the modern Republican Party. Each of its major constituencies during its recent peak—between 1980 and 2006—arose from a populist revolt against elite administration. The supply-side revolution emerged from grassroots revulsion to the welfare and high taxes of the 1960s and ’70s, as well as the stagflation that marred the latter decade. Tax revolts in California and Massachusetts showed Republicans the way. National-security conservatism, in turn, was fueled by the populist backlash against American defeat in Vietnam, the Iranian hostage crisis, détente, and the Panama Canal treaties. Religious conservatism was created by Supreme Court decisions on abortion and school prayer.

The Religious Right was populist from the start, as seen in the movement to stop the ERA, in the Moral Majority, and in other New Right groupings.

But all those are yesterday’s crusades. By 2006, the Republican Party could no longer gain much traction from tax cuts, national-security rhetoric, and moral appeals whose sincerity was belied by the behavior of GOP officeholders. Republicans stand in desperate need of a new populist uprising—and a new philosophy to take advantage of it. Do we see the stirrings of one in the recent anti-tax tea parties and the pressure that has been brought to bear on Congress to audit the Fed? A new round of bank wars has the potential to wrongfoot the Democrats, unraveling the party by stealing the issue that built Jackson’s coalition in the first place. Two of the populations that have been hurt most by the bursting bubble and ensuing credit contraction are key Democratic constituencies: working-class Americans who live paycheck to paycheck and young Americans who need ample credit to start their own homesteads—not on the frontiers, perhaps, but in cities and counties across the land.

Few politicians in either party seem inclined to defend the Fed’s lack of transparency, while mighty and aloof Federal Reserve governors are hardly more popular now than Nicholas Biddle was in 1832. And like Biddle, Fed Chairman Ben Bernanke has begun to dabble in politics, taking to “60 Minutes” to defend the central bank in the court of public opinion while hiring lobbyists—a first for the Fed—to fight legislation to audit it. The conditions are ripe for a new anti-banking coalition, if the Republicans can find the nerve to follow Old Hickory. ■

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New World Playpen

The United Nations' parental power grab

By Michael P. Farris

LAST DECEMBER, a coalition seeking ratification of the United Nations Convention on the Rights of the Child (UNCRC) held a briefing on Capitol Hill. Sen. Barbara Boxer addressed the faithful, who subscribe to the notion that "It Takes an (International) Village to Raise a Child." In a discussion that followed, another panelist was asked, "Who will be the opposition?" Came the answer: "The narcissistic sovereignty crowd." This is how globalists regard citizens who believe that America should be a self-governing nation and that parents are best positioned to act in their children's interest.

Now the Obama administration is taking up the cause. On June 24, in a speech to middle schoolers in New York City, Susan Rice announced that the White House intends to seek ratification of the UN children's rights treaty. Rice, the U.S. ambassador to the United Nations, appears to have a serious misunderstanding of her job title. The first duty of an American ambassador is to represent the United States to other nations—not to act as a propagandist for the "international community." But Rice is undeterred. With a new Democratic supermajority in the Senate, the treaty could be headed for swift passage.

There are two core reasons that Americans should oppose ratification. First, the UNCRC would replace domestic law with international law, effectively overriding most American family statutes. Second, the substance of this treaty places government in a position to overrule parents' decisions in key areas affecting their children.

Internationalists such as Rice claim that the treaty would not become binding on Americans until Congress adopted legislation to implement its substantive provisions. But this is grossly misleading—and they know it.

Advocates of ratification routinely claim that the UNCRC is a "non-self-executing" treaty. Self-executing treaties can be directly enforced by American courts; non-self-executing treaties require implementing legislation before a court can act. But one honest academic, a proponent of the treaty, gives an accurate view of the UNCRC's true nature. Arlene Andrews, professor of Family Policy at the University of South Carolina, citing analysis by the American Bar Association, concluded, "The Convention is generally regarded as having two classes of rights for the purposes of self-execution, one class that is self-executing and one that is not self-executing."

As a result, one Ohio judge, under the mistaken belief that the UNCRC had already been ratified, had no trouble unilaterally implementing the treaty. He ordered parents to stop smoking in the presence of their children, though no law of Congress or the Ohio legislature supported that decision. He may have been mistaken about the status of the treaty, but his action accurately foreshadowed the willingness of judges to use international agreements as an independent source of law.

In another instance, a federal judge in New York City applied the treaty directly in two separate cases despite knowing that it had not yet been ratified.

He held that the treaty was already binding on the United States under the doctrine of customary international law.

The Supreme Court has also issued decisions based on the treaty. In *Roper v. Simmons*, it used the UNCRC as a non-binding but persuasive precedent to invalidate the death penalty for juveniles.

One of the world's leading experts on children's rights, Professor Geraldine Van Bueren of the University of London, gives a clear picture of how sovereignty is forfeited by ratification of the treaty:

The United Nations Convention on the Rights of the Child moves the borders for the state of what is political and what can be subject to a legal challenge in courts, particularly in resource allocation and budgetary matters. The Convention and other international laws in effect narrows what were previously unfettered discretionary powers of governments. Before governments become party to human rights treaty they are obliged to ensure that there are the resources, either to implement the Convention on becoming party or shortly thereafter, in accordance with international law. Hence, there is no interference with national sovereignty, the nationally sovereign decisions on how resources on children's rights to be expended have already been taken. In essence, the government has exercised its political powers, and it has to live with the legal consequences.

The evidence is clear. The idea that American judges will find it necessary to wait for implementing legislation before enforcing the UN children's treaty is laughable.

According to Article VI of the U.S. Constitution, American law is trumped by international law. Treaties are part of the "supreme law of the land" and "Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." The Constitution itself dictates that the UNCRC would supercede the vast majority of American laws on the subject of families and children.

Virtually all American law governing the parent-child relationship is currently controlled by state statutes, not federal law. But if the treaty is ratified, states will no longer have primary jurisdiction, and Congress will have the duty to implement the international legal standards contained in the convention. Moreover, judges would be able to enforce many of its provisions directly. Both federalism and American self-government would be severely damaged.

Under existing American law, parents are presumed to act in their children's best interests. For government to intrude on families' domain, it must demonstrate that a parent has harmed a child. Until there is evidence of abuse or neglect, parents—not the government—get to decide what is best for their children.

Under the core provision of the UNCRC, government need not prove that parents have harmed their children. In every decision involving children, the government acquires a duty and the power to see that the child's best interest is fulfilled. That is, of course, best interest as defined by the subjective opinion of some government bureaucrat or judge.

Van Bueren explains how this legal standard is designed to work:

... best interests provides decision and policy makers with the authority to substitute their own decisions for either the child's or the parents', providing it is based on considerations of the best interests of the child. Thus, the Convention challenges the concept that family life is always in the best interests of children and that parents are always capable of deciding what is best for children.

Parents are supplanted not only by social workers, but also by the whims of their own children. The UNCRC guarantees that children have the legal authority to make their own decisions in areas that have previously been left to the discretion of their parents. Van Bueren elaborates on this abrogation:

State parties are obliged to 'assure' to children who are capable of forming views the rights to express those views 'in all matters affecting the child' and to give those views 'due weight in accordance with the age and maturity of the child.' By incorporating a reference to 'all matters affecting the child' there is no longer a traditional area of exclusive parental or family decision making.

The cumulative impact of these two principles, Van Bueren adds, is that "states are under a duty to ensure that parental power is properly exercised and within limits. ...The international protection of children's civil rights now touches the core of family life."

The treaty has a number of other troublesome implications:

- Parents would no longer be able to administer reasonable spankings to their children.
- A murderer aged 17 years and 11 months and 29 days at the time of his crime could no longer be sentenced to life in prison.

- Children would have the ability to choose their own religion. Parents would only have the authority to give their children advice about religion.
- It would become illegal for a nation to spend more on national defense than it does on children's welfare.
- Children would acquire a legally enforceable right to leisure.
- Christian schools that refuse to teach "alternative worldviews" and teach that Christianity is the only true religion would violate article 29 of the treaty.
- Parents would not be allowed to remove their children from sex education.
- Children would have the right to reproductive health information and services, including abortions, without parental knowledge or consent.

It would be impossible, even for the radical crew currently in power, to implement any of these outlandish notions through the ordinary legislative process. So the coup is advancing by stealth. If American parents—the "narcissistic sovereignty crowd"—don't rally for their right to raise their children, that most basic prerogative will be lost. ■

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Care Tactics

Samantha Power and the weaponization of human rights

By Chase Madar

AMERICAN LIBERALS rejoiced at Samantha Power's appointment to the National Security Council. After so many dreary Clintonites were stacked into top State Department positions—Dennis Ross, Richard Holbrooke, Hillary herself—here was new blood: a dynamic idealist, an inspiring public intellectual, a bestselling author of a book against genocide, a professor at Harvard's Carr Center for Human Rights. And she hasn't even turned 40. The blogosphere buzzed. Surely Samantha Power was the paladin, the conscience, the senior director for multilateral affairs to bring human rights back into U.S. foreign policy.

Don't count on it. "Human rights," a term once coterminous with freeing prisoners of conscience and documenting crimes against humanity, has taken on a broader, more conflicted definition. It can now mean helping the Marine Corps formulate counterinsurgency techniques; pounding the drums for air strikes (of a strictly surgical nature, of course); lobbying for troop escalations in various conquered nations—all for noble humanitarian ends.

The intellectual career of Samantha Power is a richly instructive example of the weaponization of human rights. She made her name in 2002 with *A Problem From Hell: America and the Age of Genocide*. In this surprise global best-seller, she argues that when confronted with 20th-century genocides, the United States sat on the sidelines as the blood flowed. Look at Bosnia or Rwanda. "Why does the US stand so idly by?" she

asks. Powers allows that overall America "has made modest progress in its responses to genocide." That's not good enough. We must be bolder in deploying our armed forces to prevent human-rights catastrophes—to engage in "humanitarian intervention" in the patois of our foreign-policy elite.

In nearly 600 pages of text, Power barely mentions those postwar genocides in which the U.S. government, far from sitting idle, took a robust role in the slaughter. Indonesia's genocidal conquest of East Timor, for instance, expressly green-lighted by President Ford and Secretary of State Kissinger, who met with Suharto the night before the invasion was launched and carried out with American-supplied weapons. Over the next quarter century, the Indonesian army saw U.S. military aid and training rise as it killed between 100,000 and 200,000 East Timorese. (The figures and the designation of "genocide" come from a UN-formed investigative body.) This whole bloody business gets exactly one sentence in Power's book.

What about the genocide of Mayan peasants in Guatemala—another decades-long massacre carried out with American armaments by a military dictatorship with tacit U.S. backing, officer training at Fort Benning, and covert CIA support? A truth commission sponsored by the Catholic Church and the UN designated this programmatic slaughter genocide and set the death toll at approximately 200,000. But apparently this isn't a problem from hell.

The selective omissions compound. Not a word about the CIA's role in facilitating the slaughter of hundreds of thousands of Indonesian Communists in 1965-66. (Perhaps on legalistic grounds: Since it was a political group being massacred, does it not meet the quirky criteria in the flawed UN Convention on Genocide?) Nothing about the vital debate as to whether the hundreds of thousands of Iraqi deaths attributable to U.S.-led economic sanctions in the 1990s count as genocide. The book is primarily a vigorous act of historical cleansing. Its portrait of a "consistent policy of non-intervention in the face of genocide" is fiction. (Those who think that pointing out Power's deliberate blind spots about America's active role in genocide is nitpicking should remember that every moral tradition the earth has known, from the Babylonian Talmud to St. Thomas Aquinas, sees sins of commission as far worse than sins of omission.)

Power's willful historical ignorance is the inevitable product of her professional milieu: the Carr Center for Human Rights at Harvard's Kennedy School of Government. One simply cannot hold down a job at the KSG by pointing out the active role of the U.S. government in various postwar genocides. That is the kind of impolitic whining best left to youthful anarchists like Andrew Bacevich or Noam Chomsky and, really, one wouldn't want to offend the retired Guatemalan colonel down the hall. (The KSG has an abiding tradition of taking on war criminals as visiting fellows.) On the

other hand, to cast the U.S. as a passive, benign giant that must assume its rightful role on the world stage by vanquishing evil—this is most flattering to American *amour propre* and consonant with attitudes in Washington, even if it doesn't map onto reality. A country doesn't acquire a vast network of military bases in dozens of sovereign nations across the world by standing on the sidelines, and for the past hundred years the U.S. has, by any standard, been a hyperactive world presence.

For Samantha Power, the United States can by its very nature only be a force for virtue abroad. In this sense, the outlook of Obama's human-rights advocate is no different from Donald Rumsfeld's.

Power's faith in the therapeutic possibilities of military force was formed by her experience as a correspondent in the Balkans, whose wars throughout the '90s she seems to view as the alpha and omega of ethnic conflict, indeed of all genocide. For her, NATO's bombing of Belgrade in 1999 was a stunning success that "likely saved hundreds of thousands of lives" in Kosovo. Yet this assertion seems to crumble a little more each year: estimates of the number of Kosovars slain by the province's Serb minority have shrunk from 100,000 to at most 5,000. And it is far from clear whether NATO's air strikes prevented more killing or intensified the bloodshed. Even so, it is the NATO attack on Belgrade—including civilian targets, which Amnesty International has recently, belatedly, deemed a war crime—that informs Power's belief that the U.S. military possesses nearly unlimited capability to save civilians by means of aerial bombardment, and all we need is the courage to launch the sorties. Power has recently admitted, perhaps a little ruefully, that "the Kosovo war helped build support for the invasion of Iraq by contributing to

the false impression that the US military was invincible." But no intellectual has worked harder than Samantha Power to propagate this impression.

A Problem From Hell won a Pulitzer in early 2003. America's book reviewers, eager to be team players, were relieved to be reminded of the upbeat side of military force during the build-up to Operation Iraqi Freedom. Surely Saddam Hussein, who had perpetrated acts of genocide against the Kurds, needed to be smashed by military force. Didn't we owe it to the Iraqis to invade? Hasn't America played spectator for too long? Power, to her credit, did not support the war, but she has been mighty careful not to raise her voice against it. After all, is speaking out at an antiwar demonstration or joining a peace group like Code Pink really "con-

structive"? It is certainly no way to get a seat on the National Security Council.

The failed marriage of warfare and humanitarian work is also the subject of Power's most recent book, *Chasing the Flame*, a biography of Sergio Vieira de Mello, the UN humanitarian worker who was killed, with 21 others, by a suicide bomber in Baghdad just months after the U.S. invasion. Most of the book is a sensitive and rather gripping account of Vieira's partial successes and heroic efforts in refugee resettlement in Thailand, Lebanon, and the Balkans. He eventually rose to become the UN's high commissioner on human rights—a position he left when asked by George W. Bush to lead a UN "presence" in Iraq. That the UN's top human-rights official would rush to help with the clean-up

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after an American invasion that contravened international law may strike some observers as strange. (One can imagine the puzzlement and outrage if the UN's high commissioner on human rights had trailed the Soviets into Afghanistan in 1979 to help build civil society.) But for Vieira, and for Samantha Power, there is nothing unseemly about human-rights professionals serving as adjuncts to a conquering army, especially when the prestige of the UN—scorned and flouted during the run-up to the war—is on the line. Besides, Vieira had the personal assurances of the U.S. administrator, L. Paul Bremer—a simply charming American: he even speaks a foreign language—that the UN taskforce would have a great deal of sway in how a new Iraq was built.

In June 2003, Vieira arrived in Baghdad and was surprised to find himself completely powerless. That Vieira and company believed the UN insignia would be more than a hood ornament on Blackwater's Humvees bespeaks not tough-minded idealism but wishful thinking. Power herself claims that Kofi Annan's main reason for sending Vieira off to Baghdad was to remind the world of the UN's "relevance" by getting a piece of the action. But for him and his colleagues, this confusion of means and ends proved deadly, one of tens of thousands of blood-soaked tragedies that this war has wrought. The clear lesson is that humanitarian work is always fatally compromised if it's part of a militarized pacification campaign: NGO workers wield no real power and serve mostly as window dressing for the conquering army.

But this isn't the moral that Power draws. She is still looking for Mr. Good War. Today, her preferred human-rights adventure is an escalation of the war in Afghanistan.

For the past seven years Afghanistan has been the "right" war for American

liberals, but this *carte blanche* is fast expiring, as more civilians and soldiers die, as the Taliban resurges, and as the carnage whirlwinds into Pakistan. The numerous humanitarian nonprofits in Afghanistan are no longer backed up by the military; it is they who are backing the armed forces, having morphed into helpmeets to a counterinsurgency campaign. This transformation has, according to one knowledgeable veteran of such work in Afghanistan, rendered humanitarian work unsustainable. But Power, like so many American liberals, remains committed to "success" in Afghanistan—whatever that means.

As a human-rights entrepreneur who is also a tireless advocate of war, Samantha Power is not aberrant. Elite factions of the human-rights industry were long ago normalized within the tightly corseted spectrum of American foreign policy. Sarah Sewell, the recent head of the Carr Center for Human Rights at Harvard, has written a slathering introduction to the new *Army and Marine Corps Counterinsurgency Field Manual*: human-rights tools can help the U.S. armed forces run better pacification campaigns in conquered territory. The Save Darfur campaign, more organized than any bloc of the peace movement in the U.S., continues to call for some inchoate military strike against Sudan (with Power's vocal support) even though this disaster's genocide status is doubtful and despite an expert consensus that bombing Khartoum would do less than nothing for the suffering refugees. Meanwhile, the influential liberal think tank the Center for American Progress also appeals to human rights in its call for troop escalations in Afghanistan—the better to "engage" the enemy.

Nor is the imperialist current within the human-rights industry a purely American phenomenon: the conquest of Iraq found whooping proponents in Bernard Kouchner, founder of Médecins

Sans Frontières, now Sarkozy's foreign minister, and Michael Ignatieff, also a former head of the Harvard's Carr Center and poised to become Canada's next prime minister. Gareth Evans, Australia's former foreign minister and a grinning soft-peddler of Indonesia's massacres in East Timor, is perhaps the leading intellectual proponent of the Responsibility to Protect, or R2P as it is cutely called, an attempt to embed humanitarian intervention into international law. Evans, who recently stepped down from leading the International Crisis Group, laments the Iraq War chiefly for the way it has soiled the credibility of his pet idea.

To be sure, the human-rights industry is not all armed missionaries and laptop bombardiers. Human Rights Watch, for example, is one of few prestigious institutions in the U.S. to have criticized Israel's assault on Gaza, for which its Middle East and North Africa division has endured much bashing not just from right-wing media but from its own board of directors. That said, HRW's rebuke was limited to Israel's manner of making war, rather than Israel's decision to launch the attack in the first place—the *jus in bello*, not the *jus ad bellum*.

Human-rights organizations can do a splendid job of exposing and criticizing abuses, but they are constitutionally incapable of taking stands on larger political issues. No major human-rights NGO opposed the invasion of Iraq. With their legitimacy and funding dependent on a carefully cultivated perception of neutrality, human-rights nonprofits will never be any substitute for an explicitly anti-imperialist political force. In the meantime, America's best and brightest will continue to explore innovative ways for human rights to serve a thoroughly militarized foreign policy. ■

Chase Madar is a civil-rights lawyer in New York.

A Man in Full

My father embodied the Old World spirit since lost in multicultural America.

By Paul E. Gottfried

MY FATHER WAS NOT the nicest person I have known. His temper was legendary, and despite his middling physical appearance and a bald pate that he had acquired in his thirties, he prided himself on his supposed good looks. He held grudges with extraordinary tenacity, and he never let us forget who had done him dirt.

One can, however, credit him with at least equally extraordinary qualities. He would have given his shirt away in a fit of generosity, and despite my mother's stern warnings, he was always lavishing money on relatives. He displayed extraordinary talent in the applied sciences: he not only built and wired additions to the house in which I grew up when he was in his late sixties, he also designed apparatus for the Bridgeport Fire Department. For many years he served on the municipal Fire Commission and as an ex officio member of the Police Commission.

In his fiery courage, my father had nothing in common with today's feminized and media-acceptable males. He had not distinguished himself as a soldier, but in his readiness to risk his life for a matter of honor, he did not much differ from the old exemplars of valor. Once, when he was already advanced in years and in visibly failing health, several local toughs, who had followed my parents back from a shopping mall, broke into their house and held them up at knifepoint. When they ordered my father to lie on the floor, he responded,

"The hell I will." Picking up a lamp, he smashed it over the head of one of the three robbers. Another one delivered a glancing punch, which my father mostly avoided before striking his assailant back. Thereupon the robbers ran out of the house with my father in frenzied pursuit. It seems that these malefactors had been arrested for other break-ins, but those who had evidence of their crimes had been too frightened to press charges. My father made sure they were rearrested and told his assailants that if he saw them prowling around, he'd be delighted to kill them with the gun he stored upstairs.

Needless to say, he suffered in no way from the politics of guilt. He refused to work with the Fire Commission when he learned that it had established lower standards for black applicants. He also urged the fire captain to stay out of certain minority-occupied projects, in which the inhabitants had a tendency to pelt firefighters with stones and trash. Although a refugee from the Nazis who probably lost family members in the Holocaust—he could never determine how his half-brother and his children perished during the war—Dad would go ballistic if someone tried to misapply the "lessons" of Nazi genocide. He never blamed American Christians for what had been done by European Nazis, and he grew particularly exasperated if someone tried to draw dishonest implications from what had befallen Nazi victims. He did not think that the American

civil-rights revolution was "mandated" by events that unfolded in Hitler's Germany or Stalin's Russia, and he would go speechless with rage if someone suggested that Jews were morally required to support a porous border with Latin America because a ship of German Jews had not been allowed into the U.S. in 1940. In his view, such contrived parallels were utterly specious. They were made to fit a contemporary political agenda—one that he definitely did not support.

On one big issue we disagreed, but I never pushed my father to justify himself because I enjoyed the reasons for his predilection. He adored FDR and would take my brother and me to tour the Roosevelt estate at Hyde Park. There he would rhapsodize about the achievements of the president, who is buried behind his ancestral home, overlooking the Hudson, next to his Scottie Fala. Although "naïve about Stalin," FDR had kept Hitler from overrunning Europe and killing all of my father's relatives. Beyond his attainments in international affairs, FDR had done "some good things" at home, although the list of such accomplishments, even in Dad's telling, was limited. They consisted of closing the banks when he took office and his bold decision to take derelicts off the street and to send them to work camps. My father viewed FDR as the American counterpart of a European strongman, an authoritarian leader who avoided the excesses of Hitler and Stalin

but who meant business when addressing staggering economic problems. An American libertarian would have struck him as at least as strange as a feminist.

Born in Budapest on Dec. 24, 1911, my father felt comfortable in a world of fixed authorities, albeit one in which, as a boy, he had stood at the outer edge. His mother's family had been affluent, assimilated Austrian Jews. My grand-

Admiral Miklos Horthy, which the Allies helped to install in a strife-ridden Hungary. Every change seemed in my father's young mind to bring increased problems, from human loss to Communist violence to a dishonest and intermittently anti-Semitic government, pretending to stand for the defeated Hungarians but really shilling for Hungary's enemies. Despite these circumstances, my

Hungarian Jewish sharecropper who apparently had struck it rich in the New World. As luck would have it, he had been born in the U.S. while his parents were briefly sojourning there at the beginning of the 20th century. Somehow this American-born brother-in-law had managed to bring my grandmother to New York, a fate she bitterly lamented. She had been uprooted twice, she complained, and having left Austria for Hungary, where the people spoke some weird Turkic language, she now found herself among the "*ungezogene Kinder* [badly behaved children]" of Anglophone America.

Unlike his mother, my father adjusted quickly. He mastered English except for his tendency to substitute German possessive pronouns. He also obtained employment, again as a furrier, repairing coats for large dealers. But he had to change jobs periodically because of his lack of a "red book." Apparently only Communist Party members were supposed to work in these shops. My father, who found the Communists vulgar, refused to join their movement. At one point, he had to hide on a fire escape when the Communist organizer came to check on the party membership of employees. Dad was warned that party thugs had a way of punishing nonmembers who presumed to work in a "party shop." He left to work for a large fur business in Bridgeport, Connecticut, and once he had collected enough capital, opened his own shop.

This loner who read Hungarian literature and did complicated home repairs during his leisure hours somehow found time to meet and marry my mother. My maternal grandfather, the uncle of Regina's husband, showed himself to be extremely hospitable to my father. Papa (my grandfather) was hard-working and frugal to a fault: he would walk from his apartment to the fur dye factory he owned in Greenpoint, near the Brooklyn

HIS CHILDHOOD WAS MARRED BY MEMORIES OF WAR, DEFEAT, AND POPULAR TURMOIL. HIS FIRST SCHOOL BECAME A HOSPITAL FOR WOUNDED SOLDIERS FROM THE AUSTRO-HUNGARIAN ARMY DURING THE FIRST WORLD WAR.

mother came from Graz, the capital of Styria. But she had abandoned her first husband and my Uncle Emil for a tailor she met in Vienna. The two had gone off to the Hungarian capital, which was then a largely German-speaking city, one in which my grandparents failed to prosper. The irregular relationship between them—both had forsaken their earlier households—resulted in poverty and social exclusion for their three children, of whom my father Andrew was the youngest. His concern with structures of authority might have been affected by the fact that he grew up as an outcast of his mother's family and broader society. Most of his adult life was spent working his way into bourgeois respectability, first in Europe, and then, from the late '30s on, in the United States.

His childhood was marred by memories of war, defeat, and popular turmoil. His first school became a hospital for wounded soldiers from the Austro-Hungarian army during the First World War. After his country had lost that struggle and suffered occupation, a Communist revolution broke out in 1919, resulting in the establishment of the ill-fated and inept Bela Kun regime. This disaster made way for a rightist regency under

father prospered as a master furrier. His family had had him apprenticed in this once lucrative trade, and he was able to rise through the ranks. By the time he had reached his mid-20s and had become the owner of a store in a plush sector of Pest, he was leading the life of a bon vivant.

He decided to come to the United States for two reasons. After the assassination of Austrian Chancellor Engelbert Dollfuss in July 1934 at the hands of Nazi agents, he assumed that it was only a matter of time before Hitler "liberated" the Alpine Republic and integrated Austria into the German Reich. Paramilitary groups that imitated the German Nazis were already operating in Hungary, a problem that the authoritarian regime of Horthy became increasingly powerless to handle. There was also a large underground Communist Party, which was subservient to Moscow and looked back on the expropriations and summary executions of the Kun interlude with undisguised nostalgia. My father surmised that Hungary would soon be the plaything of rival tyrannies. It was best to get out while he had time.

The second reason was that my father's sister Regina was married to a

Naval Yards, rather than spend a few cents on a streetcar. He believed that that the pennies added up—especially if one had to work at least six days a week. My grandmother would wake no later than 3:00 a.m. to prepare her husband's breakfast and lunch, and Papa would be off to work before sunrise. During the day, he would do the heavy lifting in his factory because didn't want to deal with unionized workers. Better, he thought, to drag around heavy barrels of chemicals at age 75, with fingernails disfigured by dyes, than rely on whiny union men.

Papa took instantly to my father, who came to visit a few weeks after he had arrived in New York and bedazzled his distant relative through marriage with Old World savoir-faire. My mother likewise fell for this visitor, although he was "much older," by seven and a half years, and was imagined to have led a perhaps "questionable" social life in Europe. The couple was married about five years later, after what was considered a proper courtship.

The home my parents set up would include some of my father's immigrant relatives and, most disturbingly, my paternal grandmother, who ruled like a Chinese matriarch. I respect my mother deeply for having put up with this forbidding lady and above all with the unpleasantness of having to listen to her rail against American social immorality. Although herself no paradigm of bourgeois virtues, she condemned those in whose country she had taken refuge for being self-indulgent.

My father became a constant companion to his father-in-law, who survived two wives and eventually came to live with us. I have never known a more dutiful son-in-law than my father was in looking after my ailing and eventually senile grandfather. It was as if he felt a deep debt of gratitude to this man who had given him his daughter when he was but a newly arrived immigrant.

My father always included Papa when he took my brother and me on Sunday outings in his early-1950s Pontiac. These trips involved visiting some nearby Connecticut town or chugging along Route 7, which hugged the New York state line. On special occasions, we would travel as far as Boston or Philadelphia, but would always come back the same day. And we would usually bring along a basket full of sandwiches, consisting of roast beef or turkey from Friday evening's meal. My father's first major trip after many decades in the U.S. was back to his native city in the mid-1960s. He was not especially impressed. Budapest under Communist rule, he told us, looked much shabbier than Paris, Vienna, Jerusalem, or any of the other foreign cities he thereafter visited.

It may behoove me to protect my father from a charge leveled against him by my mother. Dad was considered to be a spendthrift who would have left his family with little had he died in his 40s or 50s. Here a distinction may be in order between the generosity that Aristotle

Assyrian concept of time. Laszlo came from a distinguished Hungarian family that had held high positions in the Horthy government. Unfortunately, this offspring of gentry was a nervous, diminutive man who chain-smoked and could never put his life in order. Each time he tried to describe his puzzling dissertation topic, Laszlo would plunge into a state of nervous exhaustion.

Looking at my parents, I devised the theory of "aesthetic equivalence." Most couples are roughly equivalent in terms of physical attractiveness. Young people develop an intuitive sense of their relative marketability in appealing to the opposite sex. When one encounters a highly attractive man or woman married to a less physically appealing mate, one looks for special factors that might have affected this unusual selection.

In my parents' case, there was a degree of aesthetic disparity that I noticed even as a pre-adolescent. My mother, quite simply, was much better looking than my father. She had a delicate bone structure and a sweet, girlish face. But Dad had

IT WAS THIS **SENSE OF COMMAND**, WHAT THE ROMANS CALLED **AUCTORITAS**, THAT STOOD OUT AMONG **HIS POSITIVE QUALITIES**.

thought worthy of a free man (*eleuthero-prepes*) and the habits of a wastrel. My father's giving fell into the first category, one that the philosopher famously praised as an aristocratic trait in the *Nicomachean Ethics*. Dad hastened to help out the family of his older brother when my uncle fell ill with terminal lung cancer. He would also receive houseguests with effusive hospitality, and when I was a graduate student at Yale, he would invite home my classmates and their spouses for dinner. My father was particularly kind to one of my older classmates, who could never muster the energy to finish his dissertation on the

presence and loads of Old World charm, an intoxicant that my Greek friend Taki Theodoracopulos exudes. My late wife Dana commented on this magnetic quality when she first met my father in 1968. She found him initially far more pleasing than my mother because of his attentiveness to women, particularly those whom he was encountering for the first time. He was also a splendid ballroom dancer, unlike his two sons, who have drawn whispers on the dance floor by being flat-footed embarrassments.

It was this sense of command, what the Romans called *auctoritas*, that stood out among his positive qualities.

Bridgeport had a large Hungarian-speaking community, and one of the reasons that my father and his family had settled there was the possibility of conducting business in Hungarian while working to pick up English. Dad developed extensive social and commercial contacts there, and although he only attended religious services on special occasions, he joined the synagogue on the west side of our then bustling industrial hub, in what was called “Hunkeytown.” The congregation had been founded in 1909 by “young men from Hungary,” as the charter explained. The founders had almost all gone back to Europe afterwards and had fought in the Austro-Hungarian army during World War I. Many returned to Bridgeport years later, after odysseys in South America and Europe.

ALTHOUGH **LARGELY SELF-EDUCATED**, HE SEEMED BY THE STANDARDS OF A TRANSPLANTED PEASANT CULTURE TO BE **SOMEONE WHO TRULY STOOD APART**.

Within this community, my father was accorded respect as a man of standing, and people would come to our house seeking his advice about personal and business matters alike. Although largely self-educated, he seemed by the standards of a transplanted peasant culture to be someone who truly stood apart. Years later, when my brother drew a distinction between our immigrant father and my brother’s wife’s parents, who had attended prestigious American universities generations ago, I could not grasp how our father had occupied a lower social level. He seemed in my view to have done better than I had. His name is on the cornerstones of the firehouses in Bridgeport. In the Hungarian community he was always respectfully addressed as *Gottfried Úr*, a term that suggested something more exalted than “Mister.”

My father’s *auctoritas* was on display when the mayor asked him for a particular favor. His district was about to hold an election for alderman, and since the Republican Party would likely pick up the seat on the city council, it was imperative to find a candidate who would vote with the Republican mayor. Nick asked Dad to come up with someone whom he thought might fit the bill. My father settled on a young, recently married fellow whose parents he had known well and told him to come by the house to speak to him. When Burton arrived and my father asked if he would like to be alderman, his young guest began to get chummy, calling his host “Andy” then launching into a speech about how he would “improve this place.” My father scowled and proceeded to lay down the law. He was Commissioner Gottfried, and if Burton

wanted the nod, he would have to promise not “to yap about naïve programs” but to vote with Mayor Panuzio.

This *auctoritas* became less impressive as my father aged. In his mid-sixties he fell into an unseemly quarrel with my wife Dana’s father while both were visiting us. Dana and I understood what was taking place: our fathers had been hard, resourceful men whose self-worth was growing brittle as they became older. They had also drunk more Scotch than they should have. While working to set up a swing set for our youngsters in the backyard, they began to raise their voices. By late afternoon, they were insulting one another, and only by separating them did we avoid a further escalation of hostilities. By evening, the storm had passed, but I don’t remember seeing Dad and my father-in-law show much in the way of friendship toward

each other again. By then both were exhibiting the effects of too much drinking and of noticeable arterial deterioration. What had angered Dana’s father, a dignified physician with vast humanistic learning, were my father’s boastful expressions of self-importance. Ten years earlier, I could not have imagined him acting in this manner. As a younger man, he had taken his talents in stride and would have been irritated by the behavior for which my father-in-law berated him.

By the time he died in 1987 it was only by virtue of my age that I could remember him as someone who had once been an authority figure who soared above his companions. I recall my sense of disbelief when he visited me for the last time, after we had moved to a Washington suburb. By then Dad was doddering and quite deaf, and it was hard for me to associate him with the titan I had once relied on. Then the unexpected happened. Our basement began to fill up with water when one of the spring downpours wrought havoc on our property. My father ran down to the basement and found a sump pump, which he got to work. Before long he had my five children and me lugging pails of muddy water up to the front door. Within an hour, my father had the problem under control.

The water would return the following week, when the next downpour occurred. But the beautiful part of the incident was that it allowed my family and me to see my father one last time as he had once been—obviously in command. Even in his final months, as his energy ebbed, his old and truest self shined through. ■

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License to Kill

Before the torture memos and Ruby Ridge, there was *Neagle*.

By Joseph R. Stromberg

THE SUPREME COURT decision *In re Neagle* may never rank alongside *Marbury v. Madison* and *Brown v. Board of Education* in high-school government textbooks. But this little-known 1890 case set precedent for everything from federal shootouts at Waco and Ruby Ridge to the Bush administration's torture memos. *Neagle* elevated sovereign immunity, which all governments assert, to something like sovereign impunity. Entrapment, torture, and hard-to-explain federal homicides would be lost without it. And now that the old American saying "Don't make a federal case out of it" is obsolete, such immunity concerns us all.

The decision confirmed a grant of federal *habeas corpus* relief to David Neagle, a deputy U.S. marshal who shot and killed David S. Terry, a former chief justice of the California Supreme Court before the Civil War, as Terry assaulted U.S. Supreme Court Justice Stephen J. Field. California authorities were holding Neagle on suspicion of murder when the federal district court sprang him. Removed to federal jurisdiction, he was then vindicated by the U.S. high court's sovereign bluster.

The background of the case has everything: Wild West feuds, bitter partisanship, and high Federalist ideology. As in the gunfight at the OK Corral, there was even a Union and Confederate subtext. Terry left California for Texas in 1863 to serve as a Confederate officer; the War Democrat Field, who had succeeded Terry as California's chief justice, was appointed to the U.S. Supreme

Court by Abraham Lincoln. Field and Terry had been enemies since 1859, when Terry killed U.S. Sen. David Broderick, an ally of Field's, in a duel.

But the incident that ultimately led to *Neagle* occurred two years later, when Field returned to California to serve on a federal district court case involving Terry's wife, Sarah Althea, who was suing silver millionaire William Sharon for a slice of his fortune. She claimed she had been married to Sharon before she wed Terry. The court, including Field, treated her assertions with derision and tempers flared. Fighting broke out, and Terry brandished his famous Bowie knife. Both Terrys served time for contempt. In jail, Terry and his wife spoke loudly of taking revenge on Field. U.S. Attorney General William Miller assigned deputy marshal Neagle to protect Field.

While details are disputed, the last act took place on the morning of Aug. 14, 1889, when the Terrys encountered Field in the railroad station restaurant in Lathrop, California. David Terry allegedly gave Field two "blows" or "slaps" to the head and then "appeared" to reach for a weapon. Neagle stepped in and killed Terry with two shots. Warrants were issued for the arrest of Field and Neagle. Field was spared the indignity; Neagle was jailed. Here things might have rested. There was no federal statute dealing with murder because there was no federal jurisdiction in California—in D.C., in the territories, and on federal property (sometimes), yes; everywhere else, no.

But the federal district court removed Neagle, and the Supreme Court provided a doctrine. As the George W. Bush administration's Office of Legal Counsel would later put it in the "torture memo" of Aug. 1, 2002, the Supreme Court "did not rely alone upon the marshal's right to defend another or his right to self-defense" in *Neagle*.

The court portrayed the Terrys as engaged in "a conspiracy, to murder Justice Field." Field and Neagle had been doing their duties. By statute, federal *habeas corpus* applied to officers "in custody for an act done or omitted in pursuance of a law of the United States." Such acts carried out "a duty which could only arise under the laws" of the United States. Alas, there was no statute at hand. So the Supreme Court reasoned that "any obligation fairly and properly" drawn from the Constitution "or any duty of the marshal to be derived from the general scope of his duties under the laws of the United States, is a 'law'." This was a mighty inference, implying that almost any action taken by a federal agent approached the status of law.

It would be "a great reproach" to American government, the high court continued, if there were "no means of protecting the judges." Quoting *Ex parte Siebold* (1879), the Supreme Court underlined the federal government's right to "execute on every foot of American soil the powers and functions that belong to it." With concurrent state sovereignty duly noted and dismissed, the court asserted that federal authorities must prevail lest they be driven "out of

the United States” into “the District of Columbia, or perhaps some foreign soil.” To let states arrest federal agents would “paralyze” the central government.

The court discovered a “peace of the United States” analogous to the common-law peace of the states. A sheriff could have killed Terry, so a federal marshal clothed in metaphorical sheriff-like powers could do the same, acting as if under the common law. In a unitary United State, this might have made sense, but it made a mockery of the federalist idea of divided powers.

The court also noted the president’s duty to “take care that the laws be faithfully enforced.” Neagle’s duties and powers as a federal agent flowed from presidential inherency. He did “what was necessary and proper” and “cannot be guilty of a crime under the laws of the state of California”—he was not to be tried there and we would never know what a jury might have decided.

THE NEAGLE DECISION ALSO ASSISTED UNITARY EXECUTIVE THEORY, WHICH TODAY IS SET IN STONE AS FEDERAL SUPREMACY CLAUSE IMMUNITY.

Justice Lucius Q.C. Lamar filed a dissenting opinion in which Chief Justice Melville W. Fuller concurred. Lamar, who had authored Mississippi’s secession ordinance, wisely granted the majority’s calibration of federal sovereignty per square foot. The rest of the majority’s argumentative structure he rejected, however. There was no law—no statute—to protect federal judges. Whatever leeway a president had in executing the laws, he could not make law. The executive branch could assign Neagle to protect Field, but absent a genuine federal statute, Neagle’s actions came under state law. The presumed “special and private authority” in the presidency did not shield the marshal.

The remedy lay with Congress. As for the common law, it had never “existed in our federal system.” The majority’s argument was “wholly untenable.”

In the last 129 years, *Neagle*’s generalizations have been put to creative use. Having lined up plausible escapes for other officers in Neagle’s predicament, the Supreme Court freed itself to resolve subsequent cases through abstruse meditations on “good faith,” “reasonableness,” and the like. By foregrounding implied executive powers, the *Neagle* decision also assisted unitary executive theory, which today is set in stone as federal Supremacy Clause Immunity.

Neagle therefore represents an historic victory for federal agents, informers, cooperative gangsters, anyone arguably contributing to somebody’s federal duty “in pursuit of a law.” Torturers come to mind, along with those engaged in “targeted killings,” a legal innovation of which Justice Clarence Thomas is particularly protective. A footnote in the tor-

ture memo of Jan. 22, 2002 cites an Office of Legal Council opinion saying, “A USG officer or employee may use deadly force against civil aircraft without violating [a criminal statute] if he or she reasonably believes that the aircraft poses a threat of serious physical harm ... to another person.” This shoot-down authority all but guarantees serious harm to some “person.” Miniature unitary executives in the field are free to decide whom. Homeland Security’s online newsletter for April 2009 cautions, “Agents should know what crimes they can participate in.”

As the militarization of American law enforcement accelerates, *Neagle* underwrites new breakthroughs in legal sub-

jectivism. By now *Neagle*’s emanations call to mind “military necessity” and “proportionality” as understood in CENTCOM’s ethics room down in Tampa. This is not even legal positivism. It is more like Carl Schmitt’s decisionism adapted for people who can’t read the original German. Maybe actions are law these days.

There may be uncounted millions both within and without the United States who would not regard some perceptible slackening of the quantity and tempo of U.S. functionaries’ actions “in pursuit of a law” as the end of the world. Whatever the case, as the early Jeffersonian John Taylor of Caroline warned us, if the federals are never checked, by, say, the states, then they are never balanced—slogans about “checks and balances” become meaningless.

This further applies to some of the other idle rhetoric still heard about “dual sovereignty,” “dual federalism,” and parallel federal and state jurisdictions “equally sovereign in their separate spheres.” There is only one sphere now, and the victory of nationalist judicial ideology is unaffected by artificial states rights lately invented as a sovereign gift of the Supreme Court. To save David Neagle, the court indirectly targeted the rest of us—the imaginary sovereigns.

It is of course unfair to blame the justices sitting in 1890 for every later abuse of *Neagle*. Nevertheless, the memo writers of Aug. 1, 2002 could dispense their bad advice without having to worry that federal agents using enhanced interrogation methods could be hauled into state courts. Those writers appropriated assertions about the use of executive power to defend prosecutorial immunity for anyone allegedly acting to protect the nation. That is *Neagle*’s legacy. ■

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The Write Stuff

Higher education has destroyed young Americans' ability to express themselves on the page—or in their own minds.

By Reid Buckley

ONE STUDENT SHOUTED indignantly, "I thought this was a course in public speaking!" There were murmurs of assent. I explained that, all things being equal, one's thoughts were best written out before they were spoken. But the 30 or so members of the class remained upset. They wished to "wing it."

That is the essence of the contemporary zeitgeist, which preaches spontaneous efflorescence born of inspiration issuing from a well of authenticity and soaring on the exuberant wings of conceit. It is the philosophy of ejaculation and orgasm and no Catholic guilt. These young people had not been taught to edit. They had not been taught self-criticism. They had been reared in an environment of self-esteem, even when this went unexamined and was unearned. And when they returned a week later with the fruits of their labors, I was appalled. I took the papers home and spent two afternoons and two evenings past midnight editing them.

I had to contend with an illiterate heaping of multisyllabic social-studies mush whose meaning was either obscured or contradicted by other heapings of academic mush, as indecipherable as they were ungrammatical. Illicit inferences lurked under false premises like salamanders under rocks. Logical connections did not exist. Non sequiturs were thick as chiggers. Do not mention grace or style. Of the 28 papers I labored through, only in two did I detect talent buried in the rubble. I had never seen

anything so hopeless.

When I handed my University of South Carolina students their edited work, several shot up their hands and demanded to see me after class, to which I readily agreed. I sat down with each of them in chambers behind the lecture hall and went over the papers sentence by sentence, paragraph by paragraph. This took a lot of time. I had scrawled in the margins, squeezing my comments between the typed lines of the text. I had tried to be charitable, but because of the limitations of space, I had to be blunt.

One fellow had nothing to say about the shoddiness of his work, except to ask me belligerently, "How much does the final speech weigh?" "Fifty percent," I said, reminding him, "You are aware of that, it's on the syllabus." "Well, it's unfair," he protested hotly. "This could ruin my 4.0 average! You do that, and I'll complain to the dean!" He stomped out, leaving me to marvel that anyone so deprived of the ability to express himself could fly such academic banners. 4.0!

When I proceeded to go over the essay of another young man, his voice caught in his throat and he broke down. I was taken aback. We hadn't proceeded beyond the first page. His wasn't the worst effort, either. But he wasn't protesting my criticisms. To the contrary. "You're right," he kept repeating, tears flowing, "It's awful. I can't write my thoughts down. They come

out a mess, I know!" And then he related a scandal. Not in four years of high school and three years of college had a single teacher expressed concern about his writing or offered to edit it. When he said this, other students spoke out to confirm cognate experiences. "What can I do now?" this young man asked me despairingly. "I graduate in two months!"

The dimensions of his doom and that of these other young people hit me with full force. Not once in their educational lives had they been taught to impose order on chaos, that being contrary to the central dogma of liberal-arts education in our country today. There is no such thing as choosing, as distinguishing between the false and the real, discriminating between good and bad. The cost of this heresy to our nation is beyond calculating: for two generations our businesses, professions, universities, and politics have been populated by moral illiterates who reject reason.

The art of writing is the soul of reason, from which all civilization has spun. If one cannot give expression to one's thoughts, one is reduced to grunts. These young men and women were to be graduated in two months' time. Yet they were functionally illiterate, as the saying goes—a hideous euphemism for being thrust into the adult world intellectually crippled. Several other students who crowded around me now claimed that never had

they had their written work reviewed. I was incredulous. “Never?” “Not once!” came their reply. Two or three then claimed that in nearly four years of college they had never been required to write an essay. Examinations were multiple choice.

I had no answer for them. The laziness of the faculty disgusted me. Some of these students were studying to be teachers. My anger burned. It was not their fault that they were unable to think or write their way out of a paper bag. A whole generation was being defrauded. The final day of the course I advised my

and graduate 4.0. Reality becomes virtual. Hard true thought—the primal condition of writing—which can be offensive, difficult, and unpopular, is rendered by academe in language of such bureaucratic opacity that, it is hoped, no one will be able to penetrate it, to discover that it is hollow, that Nero is wearing no clothes. Reality is euphemized, extenuated, attenuated, temporized, dishonored. One is not born to this; one is obliged to acquire the vice of fungible truth in our decadent society and our deeply corrupted educational system.

WHEN THEY WRITE FOR PUBLICATION—THAT IS, FOR THE ADMIRATION OF THEIR PEERS—OUR INTELLECTUALS SEEM TO STRAP ON IMPENETRABLE DULLNESS LIKE CHAIN MAIL.

students that their parents should join in a class-action suit against the state’s Commission of Higher Education, and at the end of the second term, I resigned.

In the past 70 years, the American Dream has been reduced to owning one’s own home and other materialist satisfactions. No other dimension of human existence is allowed. That, of course, was never the American Dream. The American Dream was to be free. But one does not say these things in the Age of Obama, when government is no longer perceived as the handmaiden of tyranny. Paper money replaces gold, vice virtue. Sociology replaces merit, earmarks candor. Euphemistic language replaces plain speech with sentimentalized softening. Public figures do not lie; they misspeak. They do not cheat or transgress the law or do moral wrong; they make mistakes.

Communication suffers in this culture of moral and intellectual relativism, where standards, like the coin of the realm, are debased. One can be illiterate

I do not exaggerate. Eugene Genovese, the grand onetime Marxist historian, has written a tender memoir on his recently deceased wife, Betsey Fox, whom it was my privilege to know. In the course of his reminiscence, Professor Genovese remarks that it required graduate school for his wife’s prose to be ruined. She was 11 years younger than he and a budding Marxist scholar when he was already an established figure on the red-hot Left. He had been impressed by her college papers from Bryn Mawr, but when she went on to Harvard for advanced studies, her papers lost all charm, directness, and style. Academic bloviations took the place of the hard-hitting analytical energy that she had given evidence of as a younger woman and for which she would later become renowned as a polemicist. He ruminated:

I reminded myself that most graduate schools seemed dedicated to the transformation of the English

language into gibberish. In place of clear, straightforward prose, budding geniuses in graduate seminars have to impress their professors with the profundity that only bad writing and vacuous ‘theorizing’ can communicate.

With her husband’s help, Betsey Fox soon got out from under the baneful influence of academe. American scholars and professors of the liberal arts—along with sociologists, economists, and theorists of any discipline—may be the only class of intellectuals in which their ordinary social chitchat is superior to their polished prose. They are capable of saying, “Will someone shut the damn door?” or “Who let the cat in?” But when they write for publication—that is, for the admiration of their peers—our intellectuals seem to strap on impenetrable dullness like chain mail.

A certain defensive posture explains the vice. It is difficult for us laymen to understand the degree to which academics are twerps, nerds, doofuses, and dweebs, not to mention moral cowards. Academics who are not protected by tenure are terrified of exposing themselves as the second-rate minds that most of them are, as sloppy, lazy, superficial, and mean-spirited pseudo-scholars to whom the discredited concept of truth is of less concern than what is politically *de rigueur*. So they rig their prose out in dense, nearly impenetrable syntax. Relative clauses become cherished long-lost cousins. Hairsplitting becomes more important than getting anywhere. Our academics become unable to shut the damn door or put out the cat or parse a sentence or respect the sequence of a syllogism.

They are afraid of putting on plain display their biases, the ordinariness of their minds and spirits, so they take cover in jargon. Sure, to not one person in ten million is given originality of

mind. An Albert Einstein or a Stephen Hawking does not come along every other day. Not one person in several hundreds of thousands is even given a first-rate intellect. We must accept the humbling edict of fate and console ourselves: we are all genetically unique and our experiences are also almost always singular. It is virtually impossible for us to sieve any subject through our consciousness without endowing it with a special, even an original, slant. We should take confidence in this biological singularity and never betray it by worrying over whether the stockholders will like what we say, or fearing that our analysis will not please faculty lounges at Harvard or Chicago or Stanford, or fretting that our opinion will fail to find favor with the establishment, whatever it may be. We must be true to ourselves if we want to write.

Do you wish to wrest order out of chaos? I pray you have not attended college or taken classes at some writing school. Instead, go to work, travel, starve, meditate, fall hopelessly in love and have your heart broken. The deadening hand of academia, of corporate culture, of Beltway correctness destroys not only one's native ability to discriminate but also one's powers of expression.

Writing gives thinking shape. It suffers fools badly. It discerns design where none is apparent: the writer's founding assumption is that order, right order, exists. To write is to develop a nose for posturing and an aversion to the false. It is to be in awe, to apprehend the structure of the universe in the loneliness of the human heart. Writing is a gift, which does not believe for a moment it is unearned, unless no merit can be ascribed to the submission. ■

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— OLD AND RIGHT —

So far as agriculture is concerned a temporarily effective, though highly dubious, safeguard against depression has been set up. The central government pays a guaranteed price for the undisposable surplus in certain crops. When this naïve device increased the farm surplus to colossal proportions it was supplemented by adjuncts like the euphemistically named "soil bank," the central purpose of which is to pay farmers not to produce. This even-handed policy of subsidizing both to increase and to curtail production has done little for small farmers but has been successful in maintaining thousands of Department of Agriculture employees.

From the viewpoint of consistency Congress might apply the same remedy to a saturated automobile market. Ford could as reasonably be paid a subsidy for every Edsel it can produce. And a parity price might be set on Buicks and Plymouths, taking over those unsold at that price and storing them, for possible later presentation to our allies, in the holds of mothballed Victory ships. While that may sound absurd it would be precisely as sensible as the present policy for excess agricultural production. The reason such a procedure goes unadvocated for industry would seem to be the alternative which is available in the case of industrial capacity to produce.

That alternative is what we call "defense production." So long as the country is menaced, or thinks itself menaced, Congress will vote unlimited funds for its protection. It is consolingly pointed out that the total defense cost can still be held to just under 10 percent of the gross national product, whereas in Soviet Russia the percentage spent on armament undoubtedly runs higher. But this slim consolation overlooks two vital points. It is wholly consistent with the communist system, but not at all with ours, to have a handful of officials planning and managing the economy. The second point is that even a 10 percent armament leverage on a free-market economy is more than enough to spell the difference between boom and bust.

Along with the spurious prosperity produced by cold-war spending has come increasing acceptance of the theory that it is a duty of the national government to guarantee full employment. Once the White House has announced that everyone has the right to full employment, and has seemingly shown the ability to provide it, people expect all pledges in this respect to be fulfilled. They do not ask, any more than does a child, how the accepted paternalistic responsibility will be met.

Only in one form of gigantic outlay is it possible to assume the need, to ignore the cost, and to provide a spillway of money from the Treasury into the economy on the mere assertion of national necessity. Also, defense is the clear prerogative of the central government.

Nevertheless, Congress will continue to appropriate upwards of \$100,000,000 a day for defense only so long as people believe that the national security is actively menaced. And since this rate of expenditure must now be continuous, constant official propaganda must be exercised to make it appear that the potential foe is the personification of evil, a dire threat to a way of life which we ourselves are undermining by the way we confront the threat.

—Felix Morley, *Freedom and Federalism*, 1959

Arts & Letters

BOOKS

[*The American Patriot's Bible: The Word of God and the Shaping of America*, Richard G. Lee, ed., Thomas Nelson, 1824 pages]

God's Country

By Richard Gamble

DOES CHRISTIANITY make a good civil religion? First-century Rome certainly didn't think so. And Jesus himself instructed his followers to separate the things of God from the things of Caesar, a distinction no pagan Roman was ever forced to make. In some sense, Jesus created the problem of church and state, and Christians for two millennia have had to live with the consequences.

But not everyone has been content to live with the tension inherent and inescapable in the dual citizenship St. Augustine wrote about in *The City of God*. For a time, the early church hoped the Emperors Constantine or Theodosius would bring Christ's kingdom to earth through their godly political rule. Centuries later, modern political theorists developed their own ways of reconciling the earthly and heavenly kingdoms.

In the 18th century, Jean-Jacques Rousseau longed to recover the unity of state and cult known in antiquity. The Genevan philosopher wrote in *The Social Contract* that every state required a religion at its base. But, he charged, "the Christian law is at bottom

more injurious than serviceable to a robust constitution of the state." He singled out Catholicism for "giving men two legislative orders, two rulers, two homelands." In Rousseau's judgment, this dual citizenship contemptibly "destroy[ed] social unity." The modern unitary state required a more instrumental Christianity, a "religion of humanity" that focused man's attention more on his homeland in this world than on the life to come. To this benign faith Rousseau allied a "civil religion" whose dogmas affirmed belief in a providential God, assurance of reward and punishment in the afterlife, and a spirit of tolerance.

Modern American evangelicalism has its own way of reconciling church and state. It imagines an ideal American founding on Christian principles, blames the nation's decline on secularists, and mobilizes politically active believers to "reclaim" America as God's chosen land. It sees no inherent conflict between America and the gospel. Christianity is safe for America's political and economic order. In fact, a return to the Bible's wisdom and morality would automatically heal the nation and secure its bright future. No one need choose between allegiance to Christ and allegiance to America.

Guided by these assumptions, *The American Patriot's Bible* attempts with breathtaking audacity to synthesize Americanism and Christianity. Into the complete text of Scripture itself this new edition of the Bible inserts quotations from famous American statesmen, soldiers, preachers, and scientists testifying to their high regard for God and His Word. Not content to leave it at that,

this Bible also draws parallels between the sacred narrative of Scripture and the American experience. Every book of the Old and New Testament opens with an inspiring reflection on the alleged similarities between God's people of old and America today. Some of the parallels, such as Washington as the national Moses, have been commonplace in pulpit and political rhetoric for over 200 years. Others, such as Franklin Roosevelt as America's Nehemiah, will come as a shock, especially for anyone who expects this Bible to have a narrowly right-wing political agenda. Indeed, the book goes out of its way to be nonpartisan, ecumenical, and racially inclusive. Its message is more populist and nationalist than conservative. Its heroes range from Lincoln to Kennedy to Reagan.

The editor, Richard G. Lee, serves as founding pastor of First Redeemer Church, a Southern Baptist megachurch in metro Atlanta. In the summer of 2009, his church hosted a "Restoring America Conference" featuring Oliver North and David Limbaugh among other Republican activists. Reverend Lee's Bible seeks, in his words, to show "the 'strong cord' of the Bible's influence that runs through the colorful fabric of our nation's past and present." No one can reasonably deny that the Bible profoundly shaped America's colonization and national development. The evidence is everywhere. But Lee and his research staff have chosen that evidence with a template in hand that led them to find exactly the useable past they needed and nothing else. And they searched Scripture in the same way, finding a Christianity of power, moralism, and

worldly success, not one of persecution, cross-bearing, and division.

The story that emerges from Lee's editorial notes is straightforward and reinforces the familiar Christian-America framework. This whole project would collapse without that framework. America was founded on a "Judeo-Christian ethic" drawn from the Bible. Until relatively recently, principles taken from that ethic dominated America's schools, politics, and culture. Under assault by secularists who have obscured the role of religion in American history and misappropriated the myth of separation of church and state, the nation has declined morally. The Bible must therefore be returned to its central place of authority in American life in order to restore the nation's moral fabric and reclaim its special calling from God to defend freedom at home and abroad. The phrase "one nation under God" best sums up what America once was and what it will be again if enough concerned Christians rally to the call for political action.

The publisher's marketing strategy makes the message plain. Its advertising campaign is slick and aggressive. The Bible's website (www.americanpatriots-bible.com) features a short promotional video that has to be seen to be believed. No satire is possible. To the accompaniment of stirring music, three pairs of pictures fade slowly in and out of view. The first set shows Adam and Eve and then George and Martha Washington followed by the caption, "First Families." The second shows Moses and then Abraham Lincoln followed by the caption, "Freedom Fighters." (In a delightful faux pas, the producers picked an engraving of Moses about to shatter the two tablets of the law.) The third outdoes the first two by showing Jesus with his disciples at the Last Supper and then the delegates of the Continental Congress followed by the caption, "Founding Fathers." Just in case anyone has missed the point, the video ends with the words, "Sometimes history repeats itself."

How the history of redemption and

the history of the United States supposedly come together is the whole point of *The American Patriot's Bible*. It combines the two seamlessly. But its account of the American past is highly selective. It has no room for inconvenient facts. To be sure, the editor and his staff report truths about American history. But they don't tell the whole truth. To their credit, they avoid the many spurious quotations often ascribed to the Founders by less than scrupulous partisans of "Christian America." Famous Americans really did say these things about the Bible, Jesus, and Christianity. But they said much more.

THE THIRD OUTDOES THE FIRST TWO BY SHOWING JESUS WITH HIS DISCIPLES AT THE LAST SUPPER AND THEN THE DELEGATES OF THE CONTINENTAL CONGRESS FOLLOWED BY THE CAPTION, "FOUNDING FATHERS."

Just a few examples show the misleading results that come from this Bible's method of "proof-texting" its way through American history. By including profiles of both Samuel F. B. Morse and Pope John Paul II, *The Patriot's Bible* suggests a harmony in American Christianity that never existed. Morse helps illustrate Numbers 23:23, the source for his famous exclamation "What hath God wrought!" during the first successful telegraph transmission. But the editor remains utterly silent about Morse's career in the 1830s as the author of best-selling exposés of papal plots against American liberty. Naturally, the historical Morse would muddy the waters. It just wouldn't do to include a box quoting his alarm about swarms of Jesuit-inspired immigrants: "Americans, you are marked for their prey, not by foreign bayonets, but by weapons surer of effecting the conquest of liberty than all the munitions of physical combat in the military or naval storehouses of Europe." Such divisiveness ruins civil religion.

Likewise, the full-page account of the Pledge of Allegiance inserted into the Old Testament book of Ruth explains how it came to be written in the 1890s

and that the phrase "under God" was added during the Cold War with President Eisenhower's blessing. This is all true. Nowhere, however, does it mention the inconvenient fact that the Pledge's author, Francis Bellamy, was a socialist and a rabid nativist who wanted to limit immigration to certain "pure" races.

Yes, Alexis de Tocqueville really did say, "there is no country in the whole world in which the Christian religion retains greater influence over the souls of men than in America." But he also said, immediately before that quotation, "in the United States the sovereign

authority is religious, and consequently hypocrisy must be common."

Tom Paine did indeed quote from the Bible in his Revolutionary War tract *Common Sense*. But the freethinking Paine also wrote *The Age of Reason*, a book meant "to show, from the Bible itself, that there is abundant matter to suspect it is not the Word of God..." In 1797, he summed up his debunking of the first chapters of Genesis by saying, "If this then is the strange condition the beginning of the Bible is in it leads to a just suspicion that the other parts are no better, and consequently it becomes every man's duty to examine the case. I have done it for myself, and am satisfied that the Bible is *fabulous*"—that is, built of fables.

And yes, Thomas Jefferson did in fact more than once praise Jesus' "moral precepts" for their "purity." But he also edited an infamous version of the gospels that removed all references to Jesus' miracles and ended not with the resurrection but simply with his death and burial in the tomb. It is true that Jefferson valued the social utility of Jesus' ethical teachings, but he compared the effort to uncover them in the gospel

accounts to finding “diamonds in a dunghill.” He also denied Christ’s divinity and called Paul “the first corrupter of the doctrines of Jesus.” The editor’s introduction to the book of Romans quotes Woodrow Wilson instead.

These quotations do not prove the opposite of the thesis embedded in *The American Patriot’s Bible*. They do not prove that America was invariably bigoted, racist, hypocritical, and anti-Christian. Instead, they show that the full record simply cannot give the editor the kind of America he so earnestly wants. There is no golden age of Christian America waiting to be rediscovered and reclaimed.

The logic of *The American Patriot’s Bible* relies on more than a selective memory. It also depends on a particular kind of exegesis and application of Scripture. To make this story work, somehow we have to get from ancient Israel to modern America. The New Testament writers began the practice of applying biblical Israel’s calling to the church. Peter, for example, in his first epistle calls the church God’s “chosen people” and “holy nation.” It has been common, therefore, for the church throughout its history to read Old Testament passages about God’s “people” in light of its own identity as the realization of God’s true Israel. This appropriation of Old Testament language still offends devout Jews, who object to what they see as the wholesale theft of their identity by Christians. That offense is unavoidable, but the proponents of Christian America take the next step and apply God’s covenant promises to the United States, a leap that offends more Christians than one might expect.

Why this confusion of the church and America matters becomes clear in how *The Patriot’s Bible* uses promises like the one found in II Chronicles 7:14: “if My people who are called by My name will humble themselves, and pray and seek My face, and turn from their wicked ways, then I will hear from heaven, and will forgive their sin and heal their land.” *The Patriot’s Bible* reads these words as addressed to America as a once Christ-

ian but now backslidden nation. Applying “My people” loosely to America means that God’s people can claim the promises made to Israel just as surely as if they were made to the United States. Repentance will bring healing to the nation. *The Patriot’s Bible* claims that the book of Second Chronicles offers nothing less than “a model of national spiritual renewal.”

Publication of *The American Patriot’s Bible* ought to provoke a much needed debate in the United States about the church’s right relationship to civil society. This Bible may become a landmark in that debate, clarifying the issues as never before, forcing people to recognize the degree to which Americanism has penetrated Christianity. An Augustinian perspective may help frame that conversation. In Book XIX of *The City of God*, the Bishop of Hippo explained in which areas there can be peace and in which there must be conflict between the earthly and the heavenly cities. Christian and non-Christian have a common interest in earthly peace, good order, and the “necessaries of life.” But in matters of worship, Augustine wrote, the Christian was forced to “dissent” from the earthly city. The limits of the common life had been reached. The Christian was forced “to become obnoxious to those who think differently, and to stand the brunt of their anger and hatred and persecutions...” Praising piety and faith in general alongside remnants of the historic Christian faith, *The American Patriot’s Bible* combines the things of God and the things of Caesar at the very point where they most vigilantly need to be kept apart. When the City of Man sets up Americanism as its faith, the Christian is forced to dissent.

There is another problem here. Why nationalize the Bible? A nationalized Bible would seem in effect to reverse the story of redemption. At the core of Christianity is a message that the gospel of salvation is flung wide open to all peoples regardless of nationality, race, or language. The day of Pentacost made that truth clear. While Christianity has

inevitably taken on national accents as it has encountered culture after culture over the past 2,000 years, it is a universal faith. Why, then, take that transnational faith and fuse it with an earthly Caesar and empire by setting it side by side in pages of Holy Writ with a particular nation’s history and identity, as if Christianity belonged to Americans in a special and intimate way not true of other people? This Bible by its very existence distorts the gospel. As Augustine says in *The City of God*, the “heavenly city, while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages...”

Beyond what the editor and the publisher intended, *The American Patriot’s Bible* is deeply American. It takes to a new level the remaking of Scripture into a marketable consumer good, a trend underway in the United States since at least the invention of the modern steam press in the early 19th century. (See R. Lawrence Moore’s *Selling God*.) It also exemplifies the irony of American Protestants, who adhere to the sufficiency of Scripture for faith and life yet find the unadorned text of that Word not so sufficient after all. And finally, it provides further evidence of how theologically ill-equipped one dominant strand of American Christianity has been over the past few hundred years to know how to sojourn in America, how to conceive of the United States as part of the City of Man and of the church as a stranger in a strange land.

Rousseau’s name appears nowhere in *The American Patriot’s Bible*, but thanks to this publishing venture his tame Christianity and unifying civil religion have now found their way into the pages of Scripture itself. Hopefully the publishers have misjudged the taste of their target audience. If not, then perhaps robust sales will provoke American Christians to reacquaint themselves with Jesus’ problem of church and state. ■

Richard Gamble is author of The War for Righteousness and is at work on a book about how America became the “city on a hill.”

[*The Last Best Hope: Restoring Conservatism and America's Promise*, Joe Scarborough, Crown, 271 pages]

Not Your Average Joe

By W. James Antle III

THE YEAR WAS 2004. Pat Buchanan was on MSNBC holding forth on how interventionist foreign policy makes Americans less safe from terrorism. "Well, listen," he said. "The reason the terrorists are over here is because we are over there." Joe Scarborough was incredulous. "Patrick Buchanan ... you sound like Susan Sontag," he exclaimed in his best affectation of talking-head scorn. "It's our fault!"

Buchanan and Scarborough were opposites in one other respect, too. While Buchanan ran for president after building up his popularity as a conservative commentator, Scarborough came to television from elected office. The Florida Republican was part of the House's freshman class of 1994, where after three terms he was better than average but no standout.

Unlike most Republican politicians and conservative cable-TV shouters, however, Scarborough has learned valuable lessons from the failures and disappointments of the Bush years. *The Last Best Hope: Restoring Conservatism and America's Promise* represents the "Morning Joe" host's attempt to teach his fellow GOP conservatives some of what he has learned.

It helps that Scarborough is more open-minded than many of his peers. Even in the televised exchange recounted above, his admiration for Buchanan was evident. So was his humility, despite the tongue-in-cheek effort to sound like an overconfident pundit. Caught not knowing a relevant fact about World War II, he quipped with a smile, "Listen, do not tie me down with facts and dates, Pat Buchanan."

By 2006, Scarborough was contributing to a *Washington Monthly* symposium of conservatives who believed Republicans deserved to lose control of Congress. He wrote a *Washington Post* op-ed urging any Republican who wanted to survive to jettison George W. Bush. Scarborough turned against the war in Iraq and became critical of neo-conservative foreign policy. He spoke favorably of Ron Paul during the 2008 primaries. In one heated "Morning Joe" debate, Scarborough lamented the absence of fathers fighting overseas in terms reminiscent of Allan Carlson. (Unfortunately, the takeaway for most viewers seemed to be his dubbing liberal colleague David Shuster "Rip Van Shuster" for allegedly sleeping through several tapings of the show.)

This perspective makes *The Last Best Hope* different from most books of its kind. Some authors, even conservative ones, have warned that the Republican Party has veered too far to the right. Not Scarborough. "We've not been conservative as a party," he says. "We have been radical." Yet in contrast to authors trying to rally the GOP faithful, Scarborough does not define conservatism as George W. Bush minus earmarks.

In fact, Scarborough's indictment of Bush-era Republicans is as scathing as it is accurate: "Republicans under George W. Bush took a \$150 billion surplus and turned it into a \$1 trillion deficit. The GOP also doubled the national debt, presided over a staggering trade deficit, allowed the dollar to collapse, passed massive tax cuts, burdened a crippled entitlement system with \$7 trillion in new debt, and allowed domestic spending to grow at its fastest rate since the Great Society."

Well, mostly accurate. Those "massive tax cuts" were smaller, relative to GDP, than either Ronald Reagan's or John F. Kennedy's and left the top marginal income tax higher than when Bill Clinton took office. But they were coupled with a dramatic increase in federal spending on both guns and butter, without any need to whip stagflation or win an arms race with the Soviet Union,

pressing supply-side theory into the service of borrow-and-spend economics. And while the tax cuts were small and temporary, the debt and spending commitments are large and permanent.

Not that Scarborough throws in his lot with Barack Obama, "a candidate of the status quo" whose bailouts, spending booms, and fiscal stimuli merely add new levels of indebtedness and irresponsibility to the old Bush policies. (Some change!) And he remains proud of the work the Republican-controlled Gingrich Congress did in getting the Clinton administration to go along with tax cuts, welfare reform, and a balanced budget. He unfortunately does not mention reduced farm subsidies, which, like the balanced budgets, became a casualty of a later, less principled Republican Congress.

Instead of Bush, Scarborough takes his cues from Edmund Burke, Russell Kirk, and more familiar figures such as Reagan and William F. Buckley Jr. Sometimes Scarborough's invocation of such grand figures sits uneasily with his prose, which reflects his background in campaign speeches and television soundbites: "[L]ike Bill Buckley I have a lot of Burke in me, and Burke's thinking starts with this: Respect reality. Understand the age you're living in, understand its facts." That's not a bad description of authentic traditionalist conservatism, but the phrase "have a lot of Burke in me" sounds more like the punchline to a dirty joke told at CPAC than a Permanent Thing.

Scarborough deserves most credit for his willingness to confront the doctrine of pre-emptive—or "preventive"—war that, more than anything else, tore down the Republican Party's majorities. He chastises "Woodrow Wilson Republicans" who engage in overseas adventures, leaving only a hollow military and devalued dollar in their wake. "Our Army is stretched thin and our bank accounts are emptied," he writes.

In place of damn-the-torpedoes neo-conservatism, Scarborough recommends a return to the Powell-Weinberger Doctrine. Although Casper

Weinberger and Colin Powell were themselves too interventionist for some non-neocons on the Right, it is worth remembering that even the Reagan administration set stricter conditions for the use of military force than those championed by self-styled “Reaganite” hawks today. Although the Bush Doctrine has some precedent in Cold War-era rollback, it was as alien to conservatism as the Brezhnev Doctrine.

Scarborough writes that even an institution such as the United Nations is better suited to military adventurism as social work: “Since it is in the best interest of the United States to refrain from nation-exhausting wars, conservative leaders should direct all those who wish to advance humanitarian missions through military troops to take their cause to the United Nations.” He concludes, “Washington politicians should leave international moral crusades and global social work to the United Nations and Angelina Jolie.”

THE REACTION TO THE *LAST BEST HOPE* TELLS US SOMETHING ABOUT HOW THE MAINSTREAM RIGHT WOULD RESPOND TO SUCH A REBRANDING OF CONSERVATISM. JUST HOW INVESTED ARE REPUBLICANS IN BUSHISM?

Joe Scarborough’s Republican Party would remain pro-life but send social issues back to the states, as required by the Constitution. It would adopt conservation as a conservative cause, both for the benefit of the environment and to keep us out of foreign wars by reducing the strategic importance of the Middle East. It would champion small business, but not corporate welfare for Wall Street and the Fortune 500.

The reaction to *The Last Best Hope* tells us something about how the mainstream Right would respond to such a rebranding of conservatism. Just how invested are Republicans in Bushism?

The results so far are mixed. *Wall Street Journal* columnist Peggy Noonan and *Human Events* editor Jeb Babbin (no shrinking violet when it comes to projecting American military power) are

among the mainstream conservatives to have praised the book. But the Newsbusters blog, a project of the Media Research Center, has been sharply critical of the “conservative bashing” tome. Newsbusters’s P.J. Gladnick linked to and excerpted a review on another website that blasted Scarborough for appearing on “left-leaning television shows such as ‘The View’” and doing “interviews with the *New York Times* and *Newsweek*.”

Worse, from the perspective of reviewer Brian Maloney, “Each time, he was quick to bash Rush Limbaugh, Karl Rove, Newt Gingrich, and other key conservative figures.” Remember that Rove helped sell amnesty for illegal immigrants, the Medicare prescription drug benefit, and No Child Left Behind—Bush policies rightly opposed even by most mainstream conservatives. Maloney and Gladnick also unfavorably contrast the sales of Scarborough’s book, which debuted at number seven

Federal Reserve, a big change from the Bush years, but the two men won’t be voting together on the war anytime soon. (Boehner did lead most Republicans in voting with Paul against President Obama’s war supplemental, but that was because it contained too much non-war spending.) Republican congressmen will read Thomas Woods’s book about the financial crisis, but not the collection of antiwar writing he edited.

Scarborough is also guilty by association. He works for MSNBC, the network that features such over-the-top liberals as Keith Olbermann and Chris Matthews. The fact that it is also home to thoughtful, independent conservatives like Buchanan, Scarborough, and Tucker Carlson is less a recommendation than something that makes their thoughtfulness and independence suspect. And did you know that Christopher Buckley liked Scarborough’s book?

There are times, moreover, when Scarborough plays into his conservative critics’ hands by appearing to write for liberal praise. There is a strong pro-life case to be made for allowing abortion policy to be settled at the state level, but dismissing pro-life concerns as “ob-gyn issues” is not the way to make it. Similarly, while social conservatives may have overplayed their hand on same-sex marriage after the 2004 elections, they are hardly the “aggressors” in this debate in most areas of the country.

Scarborough could better flesh out his arguments against deregulation of Wall Street. His failure to do so makes it look as though he is hitting his party with every issue on which the conventional wisdom says it is wrong.

Those criticisms aside, Scarborough is a rare mainstream Republican open to evidence and arguments from his right. His evolution should be encouraged. If it continues, MSNBC might want to rework an old show title for him: “Joe Scarborough Is Making Sense.” ■

W. James Antle III is associate editor of The American Spectator.

[*Digital Barbarism: A Writer's Manifesto*, Mark Helprin, Harper, 256 pages]

What's the Net Gain?

By Peter Suderman

AS A MUSIC ENTHUSIAST in high school, I spent as much money as I could scrounge on new records. So did most of my friends. Few of us, though, could afford all the albums we wanted. It was the 1990s: the Internet was still in its infancy, and most of the music we listened to was never played on the radio.

To satisfy our musical cravings, we formed an unofficial collective. We bought what we could and copied anything else from the rest of our group. We also befriended every touring band, copying their CD's when they stopped in town—CD's that the band members had copied from similar groups of kids in towns all over the country.

Our habits were certainly illegal, though by no means uncommon. We still spent the bulk of our incomes and significant amounts of time acquiring new music. Thanks to these informal networks, however, our collections—really a single, shared collection—grew faster than our after-school jobs' incomes would otherwise allow.

Compare that to today, when music fans can effortlessly obtain millions of songs across the virtual plane, each a perfect duplicate of the original. My high school friends and I together spent tens of thousands of dollars each year on new music; now it's possible to build a vast collection without spending a cent.

For novelist Mark Helprin, this is a black mark on the core of Western society, a deadly cancer that he believes is growing more swiftly than most media commentators admit. In *Digital Barbarism: A Writer's Manifesto*, he dedicates more than 200-odd pages to defending copyright and excoriating the file-sharers and their apologists.

Helprin focuses on his own industry, publishing, rather than music, yet functionally there is little difference. The Internet-enabled spread of copyright violations is, for him, an open assault on all that makes civilization free and great: property rights, individual authorship, human ingenuity and independence, artistic vigor and integrity.

He claims that *Digital Barbarism* is partially memoir, and it's true that he relies on personal anecdotes to make his case. First and foremost, however, this book is a polemic about the urgent need to protect intellectual property in the Internet age.

As the subtitle makes clear, Helprin's concerns are primarily those of a writer and creator, not a scholar or a lawyer. He makes his argument almost exclusively on cultural, historical, moral, and aesthetic grounds. Indeed, he is actively hostile to the legal establishment and the academy. He berates tenured professors, whom he regards as disrespectful parasites steeped in deconstructionist theory, preying on the greatness of authors.

Lawyers, meanwhile, with the proud assistance of law schools, apparently

movement, a monster driven forward by "a pack of intellectuals intoxicated with their own powers." These leaders, he explains, preside over a vulgar virtual mob—"raised on downloads and quarter-second video cuts"—who require "various professional interpreters to smooth over their followers' many mental crevasses and provide summaries of that which would take more than five minutes to read before eliciting a blizzard of bad grammar."

Where would Helprin's argument be without such lowly, "subliterate" creatures? On countless occasions, he quotes them in order to prove his point. Often, he goes so far as to attribute their words to the website on which they left their remarks. So, for example, an entry by "Peep," a commenter at Matthew Yglesias's *Atlantic* blog, is credited in the text to the *Atlantic Online*. To find out that Peep is not a staffer on the magazine—or anyone writing with *The Atlantic's* backing—one must flip to the endnotes. This is comparable to somebody objecting to an outspoken member of the audience at a lecture, then claiming that the attendee and the speaker are practically the same. Helprin's unwill-

"I APOLOGIZE FOR NOT BEING A LAWYER, EXCEPT THAT IT MAY ALLOW ME TO COMMENT SENSIBLY UPON THE LAW," HE WRITES.

make "claims of superiority in regard to policy questions over which they have no more superior right or understanding than would a cucumber." Helprin even suggests snidely that he may be better suited to pronounce on copyright law because of his lack of legal training. "I apologize for not being a lawyer, except that it may allow me to comment sensibly upon the law," he writes. That's sarcasm, not to be taken at face value, but the sentiment is telling. Helprin can't be bothered with the intricacies and details of the law. What matters is the strength of his conviction and judgment, no matter how uninformed.

Helprin regards legal practitioners as abettors of the wider anti-copyright

ingness to distinguish between these two—those who write online for a living and the web-commenting masses—drastically undermines the effectiveness his point.

His repeated observations about the poverty of grammar on the Internet are not surprising—no one would argue that the commenters show much aptitude for punctuation. Yet this is another of Helprin's obsessions: bad aesthetics, particularly bad writing. Bloggers and blog-readers are "foul mouthed." They publish their views in the midst of a "Spenglerian decline." Aesthetic standards have been compromised by modernity, and civilization is failing as a result: "Much of the alienation and fail-

ure of the electronic age is due to the fact that its enthusiasts lack education in the humanities," Helprin writes. The forces allied against strengthening copyright are therefore engaged in "assault upon the independent voice and the incentive to create."

For Helprin, then, the battle over copyright is a battle over fundamental societal tenets. Copyright is an unalloyed force for good. He scorns what even copyright defenders regard as the prime benefit of loosening restrictions on digital copying: the wealth of access and information made available. "Choosing to be always connected," he fumes, "to do a thousand things at once, to have 'everything' available instantly, to skip at great speed from subject to subject and person to person, is to model oneself after a machine, to take on its attributes and, by necessity, to leave behind many of the qualities of being human."

Helprin does not relent in his gloominess toward our tech-savvy age. The list of things that he finds depressing is long and scattered: iPhones, BlackBerries, overly simple prose, overly complicated prose, gender-studies professors, *The Chronicle of Higher Education*, blogs, popular music, Alec Baldwin, Martin Heidegger, the American Library Association, large groups of people. It is difficult for the reader to keep track.

This rampant hostility, much of it taking the form of careless tangents, is not merely unnecessary; it is off-putting. It blunts the force of Helprin's argument. Combined with his oft stated disdain for scholars and lawyers, it serves to obscure the essential points in the debate.

Helprin can be a beautiful writer, and in his fiction he exhibits a devotion to humanity in the way that the best novelists do. But here he often comes off as a crank. This book is more rant than reason.

His excessive vitriol is especially disappointing because, underneath all the rage, Helprin has a point worth taking seriously. The Internet has engendered a fundamental change in the way intellectual property is stored and distributed—

and it is a shift away from the rights of the individual and toward those of the collective.

There has long been an undercurrent of copyright piracy in media consumption, but technology has now propelled this tendency into dominance. The soft socialism of my high school music collective is more darkly embedded in the very nature of the net, which everyday expands and accelerates its reach and capabilities.

It is one thing to make mix CD's for—or even to share a library with—a handful of friends; it is quite another to enlarge that circle to the point that it encompasses most of the world. Our small band of gawky teenagers armed with CD burners, tiny allowances, and too much time would not have brought down an entire creative industry. But we might have, given the option to join an infinitely larger network through easy electronic swapping. That such a thing might happen, or would be a catastrophe if it did, is not a foregone conclusion. But it's reasonable to be wary any time such power is introduced. The difference between the mass file-sharing of today and the casual trading of prior decades is still only one of degree, yet it is the degree whence the worry stems.

As it stands, the sharing power of the Internet serves both the individual and the collective: it is not yet clear which will emerge triumphant or what the costs will be. Helprin has chosen his side, and his position is not altogether unreasonable. Certainly, his arguments contain some truth. His prose often veers toward the lofty, but is most powerful when it is most simple: "You never need be ashamed to claim what is rightfully yours." His anger is perhaps understandable, even admirable. Helprin is a writer. His books, his creations, provide him and his family with their living. Those words are what he has, and he is only trying to claim them for himself and his heirs. ■

Peter Suderman blogs at The American Scene.

[*A Terrible Splendor: Three Extraordinary Men, a World Poised for War and the Greatest Tennis Match Ever Played*, Marshall Jon Fisher, Crown, 336 pages]

Splendor on the Grass

By Jeffrey Hart

A GREAT TENNIS MATCH is in the foreground here, but this brilliant book is about much more than tennis. Played on Centre Court, Wimbledon on July 20, 1937, the Davis Cup contest between Germany and the United States took place a year after Hitler's march into the demilitarized Rhineland and a year before Germany's annexation of Austria in 1938, swiftly followed by the handover of Czechoslovakia to Germany at Munich.

That ominous sequence provides the famous Budge-von Cramm match with the "terrible splendor" of Marshall Jon Fisher's title. As in all Davis Cup matches, the name of the countries replaced the names of the players, as in "Advantage, United States" or "Game, set, Germany." It was as if the Second World War had begun early.

In 1937, Hitler was very much on our minds. We regularly heard his speeches broadcast from Berlin, with the BBC man translating as the Führer ranted away in the background: "Herr Hitler says that ..." There was a weird counterpoint between the calm tone of the British voice and that of Hitler, who repeatedly rose to hysterical outbursts as the crowd roared. We listened with increasing alarm.

In our New York City neighborhood, interest in the Don Budge-Baron von Cramm match was intense: America versus Germany. Many of our neighbors, especially the women, rooted for the glamorous blond German aristocrat. I was 7 at the time, and I listened on my small plastic radio to Al Laney, later a famous writer on tennis, broadcasting

the match from Wimbledon. My own interest in the sport was aroused, and I began hitting tennis balls against a wall in the courtyard behind our apartment house, using an old racket of father's, a leftover from the 1920s.

The sheer drama of this epic sporting contest was irrepressible. Picture the moment when the American star J. Donald Budge and his rival Baron Gottfried von Cramm stood together ready to walk together out onto Centre Court. An expectant crowd packed the stands. A swastika fluttered above the arena.

AN EXPECTANT CROWD PACKED THE STANDS. A SWASTIKA FLUTTERED ABOVE THE ARENA.

The famous wooden sign over the players' entrance to the grass court carried the line from Kipling's poem "If": "If you can meet with both Triumph and Disaster, And treat those two impostors just the same ..."

At that moment, according to Budge in his *Tennis Memoir* (1969), Hitler rang from Berlin:

I did not pay much attention until [von Cramm] finished speaking to the operator and suddenly switched to German. 'Ja, mein Fuhrer,' was the first thing he said. ... 'Excuse me, gentlemen,' Gottfried said matter-of-factly. 'It was Hitler. He wanted to wish me luck.'

Disappointingly, Fisher insists that this exchange never happened. No matter. There is no shortage of riveting detail and suspense in his dazzling story. The protagonists could not have been better cast. The American Don Budge, red-haired and homely, was born in Oakland, California, the son of a truck driver. In sharp contrast, the baron, blue-eyed, blond, and handsome, had grown up in his family's medieval castle and as a boy had played tennis with the king of Sweden. On the dust jacket of this book, we see him hitting one of his perfect serves, dressed elegantly in white tennis pants. The image is super-

imposed on top of a large swastika against a black background.

One might think that the dashing von Cramm made a perfect propaganda symbol for the new and revolutionary National Socialist Germany, a model Aryan. Far from it. The baron, widely revered for his gallantry and sportsmanship, refused to join the Nazi Party. He was also, to the horror of the Third Reich's propagandists, gay. So, too, was Bill Tilden, the third extraordinary gentleman, a "fading American hero" who was at that time Germany's unofficial

coach. A year after this famous match, von Cramm was imprisoned for moral corruption. His lover, Manasse Herbst, was a Jew. Oy gevalt!

But all this intrigue was eclipsed for a few glorious hours on Centre Court that July afternoon. Budge, having lost the first two sets, 6-8 and 5-7, stormed back to win the next two, 6-4 and 6-2. Von Cramm seemed to be conserving his energy for the final set—"fifth sets are Cramm's" went the saying among tennis aficionados. Sure enough, the German opened up a 4-1 lead, but Budge fought back again to level the match. After hours of electrifying rallying, Budge had a match point at 6-7 on von Cramm's serve. Von Cramm hit a hard shot to Budge's forehand side. Budge ran hard to reach it, falling on his chest as he hit a passing shot down the line. He did not know whether or not the ball had landed in bounds until he heard the approving roar of the crowd.

With his usual impeccable manners, Baron von Cramm met Budge at the net and said, "This was absolutely the finest match I have ever played in my life. And I'm very happy that I could have played it against you whom I like so much." An hour later, when Budge looked back in at the stadium, he was surprised to see thousands of people still sitting there silently, stunned by what they had seen.

Fisher rounds off the book with accounts of the lives of both men after this epic duel. Von Cramm was released from the Gestapo prison thanks to family connections, only to be drafted into the Wehrmacht when war broke out in 1939. He survived the Eastern front and later became successful in business. He was killed in a car crash in Egypt, aged 67. Don Budge went on to dominate professional tennis. He became the first man to win the Grand Slam of four major tournaments in one year, a feat still only matched by the great Australian Rod Laver, who did it twice. Such fascinating lives. *A Terrible Splendor* succeeds not only as intriguing history; it provides an unforgettable account of sporting heroism in a dark and dangerous time. ■

Jeffrey Hart is author of many books, including Smiling Through the Cultural Catastrophe and The Making of the Conservative Mind.

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[*How Rome Fell: Death of a Superpower*, Adrian Goldsworthy, Yale University Press, 560 pages]

Rome Wasn't Destroyed in a Day

By Daniel Larison

ROME WAS ASSASSINATED, but the victim had been dying for a long time. That is Adrian Goldsworthy's conclusion in *How Rome Fell*, his capable narrative of the political and military history of the Roman Empire from the late 2nd century to the mid-6th. This book comes on the heels of several studies that have argued persuasively for economic and political decline in opposition to the "transformation" theories of scholars of late antiquity. But Goldsworthy grounds his account in a distinctive argument for the *lack* of change in the external, specifically military, threats to the empire. He doesn't describe the fall of the whole Roman Empire, which he acknowledges endured in reduced form in the east, so much as its retreat from superpower status.

Traditional "decline" interpretations of later Roman history have long focused on political and military factors, with weakening institutions and worsening economic conditions dominating the portrayal until the last half-century. Redefining the period as late antiquity, religious and cultural historians have stressed long processes of gradual change and transformation without describing those changes in pejorative language that makes the classical period into an ideal from which later civilizations departed. Goldsworthy's book represents a growing reaction among contemporary scholars against perceived excesses and omissions in the transformation thesis.

He differs, however, from other defenders of the decline narrative in his

emphasis on the capacity of foreign peoples to challenge Roman hegemony. Whether he is casting doubt on the purported greater aggressiveness of the Sasanians compared to their Parthian predecessors or assessing the strength of Germanic confederations, Goldsworthy often reaches back to more familiar ground to claim that foreign threats were not greater on the eve of the 3rd-century crisis. This implies that internal political instability, the frequency of civil war, and the resulting weakness of frontier defenses were the primary causes of so many disruptive raids and invasions. As Goldsworthy writes, "The scale of the threat to the frontiers had always fluctuated, but the biggest difference between this and earlier periods was the frequency of civil war within the empire." Roman resilience in succeeding centuries does not persuade Goldsworthy of the vibrancy of the later empire, but rather shows the reserves of strength that remained at the end of the Antonine dynasty.

GOLDSWORTHY EXCELS AT RECOUNTING IMPORTANT BATTLES.

Goldsworthy, most recently author of the estimable biography *Caesar*, is a military historian by training, and one of the purposes of this book is to restate the political and military narrative of the later empire, which he believes has been neglected in studies of late antiquity that focus on long-term trends and gradual transformation. He may seem like an obvious partisan of the decline thesis, but approaching the later period as a self-styled "outsider" and "newcomer" permits him to engage the historiographical debate while critiquing both sides from a distance.

The interpretation of the power of Sasanian Persia is a case in point. In his *Fall of the Roman Empire*, Peter Heather claimed that the rise of the Sasanid monarchy quickly shattered Roman hegemony in the Near East and signaled the emergence of a new superpower. But some of the most recent scholarship on the Sasanians treats this

portrayal of Persian power as an exaggeration, an echo of Roman fears and propaganda, which tends to vindicate Goldsworthy's assessment of the relative strength of the two states. The idea of a rival Sasanian superpower has probably endured because of events during the last great war between Rome and Persia in the 7th century, when the Sasanians briefly threatened to conquer most of the eastern empire. This may have magnified the power of Sasanian Persia in the minds of modern historians.

Though it lies beyond the scope of his book, this 7th-century example reinforces Goldsworthy's overall interpretation, as it was Phokas's coup that provided the pretext for Sasanian intervention and it was the civil war between Phokas and Heraclius that helped pave the way for the extraordinary, decades-long Sasanian occupation of most of the eastern provinces. The duration of the conflict, which might misleadingly suggest Sasanian strength, points instead to the weaknesses of a Roman state already

exhausted by the abortive reconquest efforts of Justinian in the previous century. Even then, despite its weaknesses and after having lost most of the east for an extended period of time, Rome eventually prevailed.

As in *Caesar*, Goldsworthy excels at recounting important battles. Where many accounts only briefly cover the Battle of Adrianople in 378, Goldsworthy provides a detailed discussion of the battle itself and the aftermath of the catastrophic Roman defeat. Descriptions of military maneuvering and organization are not unduly technical for the lay reader and are supplemented by accessible charts and maps.

One of the most dissatisfying elements of Goldsworthy's book is that it dwells so extensively on political narrative almost to the exclusion of cultural and religious phenomena. As a correction to the weaknesses and oversights of late antique studies and a natural

result of a primarily political and military study, this may be understandable. But it significantly limits the usefulness of the book as a reference work and will make it less interesting to readers curious to investigate the causes of both religious transformation and political failure. While there are many other volumes that can provide the cultural and religious history of the period in greater detail, Stephen Mitchell's *A History of the Later Roman Empire* has shown that it is possible to compose an account of much the same period by including both political narrative and discussion of religious change and controversy.

The flaws arising from this neglect include the occasional factual error concerning details of religious controversy, such as identifying Arius as a presbyter from Antioch rather than Alexandria; no discussion of the councils of Ephesus of 431 and 449, which had tremendous significance for the religious life of the empire; and minimal attention to figures such as Cyril of Alexandria, whose theological legacy directly affected ecclesiastical politics in the empire for at least another two centuries and was fundamental to the formation of Christian doctrine for all modern confessions. Goldsworthy also fails to discuss the role of leading imperial women, such as Theodosius II's sister Pulcheria, in the court politics connected with ongoing religious controversies, and mentions the council at Chalcedon mostly in passing. In contrast, the inconsequential but nonetheless remarkable pagan revival under Julian receives extensive discussion, which can only partly be a product of the richer sources from this period.

Were these events only important for the eastern empire, and had they taken place after the collapse in the west, this might make sense. But given their significance for the entire Mediterranean world—for good and ill—their omission has to be counted as an oversight. Nonetheless, there is some consolation in Goldsworthy's choice to focus almost entirely on political and military mat-

ters. The reader is spared the repetition of anti-Christian tropes once associated with the decline narrative, and he does not encounter erroneous speculation on the alleged religious sympathies of dissenting Eastern Christians with the new religion of Islam that mars parts of James O'Donnell's *The Ruin of the Roman Empire*.

Goldsworthy's choice of the word "superpower" to describe Rome is significant, and he occasionally reflects on what its fate may teach the very different American superpower, whose decline *vis-à-vis* the rest of the world is far less dramatic but no less real than the crisis that afflicted Rome. Given the numerous differences between the two polities and their institutions, it may seem foolish to make any comparisons, but the example of the later Roman Empire does offer some admonition to those constantly warning about the next foreign threat and the obligations incumbent on a superpower to project its strength.

If Rome consumed itself with internal violence, making it more vulnerable to outside attack, America risks exhausting itself financially in its pursuit of pre-eminence that it will never be able to reacquire. Justinian's empire was incapable of recovering the west, and in its attempt managed to do far more damage to the remnants of Roman society than the Goths had ever done. In the end, the rulers and officials most obsessed with halting decline and restoring former glory—which had been the product of unique, contingent, and unrepeatable circumstances—were responsible for hastening collapse. History does not repeat itself, and America is not Rome, but hubris and folly in statecraft are timeless. They will lead to far greater weakness for the United States than a prudent conservation of our resources and a sober understanding that the threats we face are no greater than those we have known in the past. ■

Daniel Larison's blog, Eunomia, can be read on The American Conservative's website, www.amconmag.com.

Hentoff

Continued from page 22

He maintains a hostility to religion, even as he aligns himself with the pro-life cause. "My reading of biology shows that this is clearly the destruction of human life," he says. "It has its own DNA." Hentoff's concern for life extends to the death penalty, which he opposes. He also opposes contraception, saying it "leads to abortion." This iconoclasm merits a grudging respect even from his intellectual opponents. "Whether or not one agrees with him on abortion, he's doing it in a principled way," Greenwald says. "He doesn't care which side he's supposed to take, or who he alienates in expressing his beliefs on abortion. He does it anyway."

Indeed, there is something anachronistic about Hentoff. From his famous love of jazz to his anti-totalitarianism, he seems stuck in the tough interwar Boston of his boyhood. He does not have an e-mail address, uses a typewriter, and his voicemail message twice bellows at callers to leave their phone numbers clearly. He is a lonely scribbler, fanning through clippings instead of attending press conferences. "Nat is a Jeremiah, the biblical figure," says *Village Voice* senior editor Ward Harkavy. "He sounds alarms. There's not too many of those left in the industry. There is no I.F. Stone anymore."

The comparison is apt—Stone was one of Hentoff's mentors. He learned from Stone the importance of maintaining distance from power, of remaining an individual among the herd that is the Washington press corps. Like Stone, Hentoff was one of the most independent American journalists of the 20th century. If he doesn't fit into the 21st, the problem might not be with him, but with the century. ■

Jordan Michael Smith is a press officer at the Project on National Security Reform. His views are not necessarily representative of PNSR's.

Wild Oates

Ned Beatty and Warren Oates, resplendent stars in a Kentucky-Hollywood zodiac that stretches from Tod Browning to Johnny Depp, were sitting by a pool in

Houston when Beatty asked Oates, "How would you describe your politics?"

Oates screwed up his face and replied, "You know, I'm a by-god constitutional anarchist."

Of course. What else could he be? Warren Oates never could disappoint.

That conversation is recounted in Susan Compo's new biography *Warren Oates: A Wild Life*, which gave me a happy excuse to watch Oates again in the Westerns and road movies that put to such affecting use what John Doe of the great Los Angeles punk band X called Oates's "glare ... the look of a shell-shocked soldier, broken lover or desert rat."

A drunken romantic, a self-described "total hick with a mountain accent," Warren Oates, a native of Depoy, Kentucky, was descended from a Revolutionary War major who fought under Francis Marion, the Swamp Fox. Oates praised Depoy as "a splendid place" with "real community spirit." He was proud to be a Kentuckian and he would frequently criticize Hollywood's anti-Southern bigotry.

He worked in TV Westerns and as a key member of the Sam Peckinpah ensemble in such films as "Ride the High Country," "Major Dundee," and "The Wild Bunch," whose theme—"When you side with a man, you stay with him, and if you can't do that, you're like some animal, you're finished"—Oates could haul.

Then came a string of extraordinary performances in seldom seen films in

which Oates was often heartbreaking and never cheaply so. He was the mute trainer of gamecocks in Monte Hellman's singular "Cockfighter" (1974) and, as the nomadic fabulist GTO, the only sign of life in Hellman's flat "Two-Lane Blacktop" (1971).

"If I'm not grounded pretty soon, I'm gonna go into orbit," GTO says by way of proposal to the hippie drifter known only as The Girl just before she hops on a stranger's motorcycle and takes off. Warren Oates had roots and he had the wanderlust, and that tension is palpable in many of his characters, footloose men of the border states or the South who have lost home and can't quite seem to find it again.

His best part was in Peter Fonda's dreamlike "The Hired Hand" (1971), beautifully filmed by Vilmos Zsigmond, a lovely meditation on friendship and responsibility, one of the least-known great movies of that richest of all cinematic eras, the early 1970s. Like Clint Eastwood and Jeff Bridges, Oates's films in these years were consistently interesting—soulful, often literate contrasts to the brain sludge for cretins that fills theaters today.

His response to the priggish carping at "The Wild Bunch" gives a taste of Oates the Goldwater voter from Depoy: "It shocked the hell out of a lot of moralistic weirdo pinko liberals." Yet he sympathized with the uncredentialed critics, saying that "some of the protest by Mexican-American groups is justified. ... I feel it is the fault of the semi-intellectual

community that writes about or makes films about Mexico, or hillbillies, or any specific group of people that does not belong to their semi-intellectual community. The clichéd Mexican or the clichéd southerner or the clichéd anyone is not a full man."

Oates was a prodigious consumer of booze, drugs, and available women. He was also, by all accounts, a helluva nice guy without a hint of movie-star hauteur. He displayed special kindness to waitresses, rural people, and those lacking a sophisticated veneer. Filming "Tom Sawyer" (1973) in Arrow Rock, Missouri, "Oates characteristically befriended the locals, inviting many of them to share a Coke or two." Shooting John Milius's "Dillinger" (1973), "Warren was very generous with the [Oklahoma extras]," said his knockout costar Michelle Phillips. "He was a kind of hillbilly; the people were a little like that too, and they loved him."

Susan Compo does justice to Oates, whom she obviously adores, and she has a style safely removed from that Forest Lawn of prose known as the celebrity biography. (Of the loosely screwed Laurie Bird, who played The Girl in "Two-Lane Blacktop," Compo writes, "what did not kill her made her stranger.")

Oates was no saint, and the movie that was supposed to make him a star, "Bring Me the Head of Alfredo Garcia" (1974), was a splendid mess that marked the beginning of the end of Sam Peckinpah. But Warren Oates onscreen is enough to make you think that as bad and pernicious as the movies can be, once in a while, in the hands of an Oates, a Fonda, a Peckinpah, they really get this country right. ■

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